

1 Gerald Armstrong  
2 C/O George W. Abbott, Esquire  
2245-B Meridian Boulevard  
3 P.O. Box 98  
Minden, Nevada 89423-0098  
4 Defendant and Appellant  
In Propria Persona  
5

6 CALIFORNIA COURT OF APPEAL  
7 FIRST APPELLATE DISTRICT  
8 DIVISION FOUR

9 CHURCH OF SCIENTOLOGY INTERNATIONAL

10 Plaintiff and Respondent

11 v.

12 GERALD ARMSTRONG,

13 Defendant and Appellant.

14 Appeal No. **A075027**

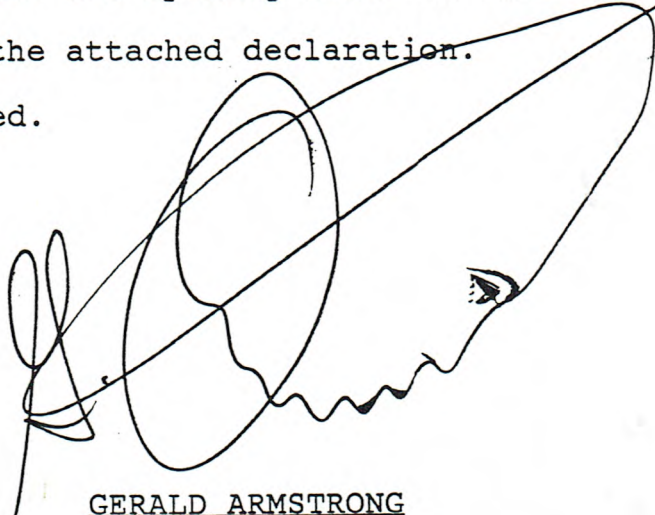
15 Marin County Superior Court No. 157680  
16

17 **REQUEST FOR EXTENSION TO FILE APPELLANT'S BRIEF**  
18

19 Defendant-Appellant Gerald Armstrong hereby requests an  
20 extension of 60 days to file his opening brief in this appeal for  
21 the reasons set forth in the attached declaration.

22 Respectfully submitted.

23 DATED: July 15, 1997  
24  
25  
26  
27  
28



A large, stylized handwritten signature in black ink, appearing to be 'Gerald Armstrong', is written over the signature line and extends upwards into the text area.

GERALD ARMSTRONG

**DECLARATION OF GERALD ARMSTRONG**

I, Gerald Armstrong, declare:

1. I have personal knowledge of the facts set forth in this declaration and could competently testify thereto if called as a witness. I am making this declaration in support of a request for an extension of time to file my opening brief.

2. I have within the past few days been advised of the Clerk of the Court's Rule 17A notice, stating that the record on appeal in this case is to be filed by July 15 unless an extension is granted for good cause.

3. On May 29, 1997 I applied for an extension of 120 days. I advised the Court at that time that "I also understand that the Appeals Clerk of the Superior Court was unable to locate in the Court's file a number of documents identified on the Appellant-Defendant's Notice of Designation of Clerk's Transcript." Since that time I received the Clerk's Transcript on Appeal, and have reviewed the documents therein. Appended hereto as Exhibit A is a true and correct copy of the Clerk's Declaration which lists a great number of documents, including the complete file of Los Angeles Case No. BC084462, which she reports as missing from the Marin Court file. BC084462 is one of three cases which were consolidated into Marin Case No. 157680. These missing documents are completely essential to the preparing of appellant's opening brief. I require sufficient time to myself locate and copy the missing documents, and have them included in the Record on Appeal. Some of these may be in the Marin Court and some in the Los Angeles Superior Court.

4. Scientology opposed my first request for an extension,

1 and supported its opposition with a declaration, a copy of which  
2 is appended hereto as Exhibit B, executed June 3, 1997 by attorney  
3 Andrew Wilson. His declaration contains some misinformation, which  
4 I will correct herein. The facts I am providing herein and the  
5 exhibits attached hereto are relevant both to this request for  
6 extension and to the issues in this appeal.

7 5. In my first request for an extension I stated that  
8 "[b]ecause of threats from the Scientology organization, one  
9 corporate arm of which is plaintiff and respondent herein, I have  
10 recently had to leave the US." Mr. Wilson states:

11 [t]he "threats from the Scientology organization"  
12 .... are nothing more than correspondence which I had  
13 directed to Mr. Armstrong relating to his violations of  
14 the Order (being appealed in the matter before this  
15 Court) and threats to bring contempt proceedings in this  
16 conduct did not cease."

17 This untrue. While it is true that Mr. Wilson did threaten me in  
18 his correspondence, and his threat was improper, but that is but a  
19 small part of the threat from Scientology which caused me to leave  
20 the United States.

21 6. I have been for many years and am now the target of  
22 Scientology's notorious "Fair Game" policy, which states that  
23 "enemies" may be tricked, cheated, lied to, stolen from and  
24 destroyed without discipline to the perpetrator. I have been  
25 assaulted, spied on, run into bodily with a car, threatened with  
26 murder, illegally videotaped, and harassed in many other ways by  
27 agents of Scientology. Organization agents have stolen legal  
28 documents and art from me, sued me five times, filed countless

1 false sworn statements about me, attempted to involve me in a  
 2 freeway accident, and attempted at least twelve times to have me  
 3 jailed on false charges. The organization has carried out fair  
 4 game campaigns against my attorneys Michael Flynn and Ford Greene.  
 5 It has carried out an international campaign to destroy my  
 6 credibility and reputation pursuant to its practice called "Black  
 7 PR," which is a facet of "Fair Game." The recent fair gaming and  
 8 threats which caused me to leave the US I will describe in  
 9 paragraphs 17-33 below.

10 7. Mr. Wilson states:

11 "One of the prohibitions contained in the Order was  
 12 against Armstrong assisting persons involved in  
 13 litigation with certain designated "beneficiaries" of  
 14 the Order, one of whom is Religious Technology Center  
 15 ("RTC"). Despite the injunction Armstrong did render  
 16 such assistance by writing and filing a lengthy  
 17 declaration in three cases currently pending in United  
 18 States District Court..." (Ex.B, 2:4-8)

19 I am not, and cannot be, prohibited from responding to a subpoena,  
 20 and I was served with a subpoena in one of the RTC cases requiring  
 21 that I respond.

22 8. Mr. Wilson also states:

23 "At that hearing, the Honorable Gary W. Thomas  
 24 issued an oral Order holding Mr. Armstrong in contempt  
 25 and requested me to prepare a written Order for his  
 26 signature." (Ex. B, 2:21-24)

27 The Order executed by Judge Thomas and filed on June 5, 1997 is  
 28 appended hereto as Exhibit C.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

9. I have never been served with Scientology's motion for order to show cause re contempt, the Marin Superior Court's order to show cause re contempt, nor that Court's order allowing service of the order to show cause re contempt by publication. I have a grave doubt that service of such documents by publication, since contempt is a quasi criminal proceeding, is legally permissible.

10. The Order of Contempt Judge Thomas signed contains false statements and is based on false information. The order states:

"ARMSTRONG willfully disobeyed the [October 17, 1995 Permanent Injunction] Order. On or about January 26, 1997, ARMSTRONG sent a document entitled DECLARATION OF GERALD ARMSTRONG to United States District Judge Ronald M. Whyte. Judge Whyte was at the time presiding over three cases in which plaintiff is RTC. In the Declaration ARMSTRONG recites his understanding that he was prohibited from sending such a Declaration directly to litigants and states that he is instead sending it directly to Judge Whyte in the hopes of influencing his decision on a pending matter. This evidences ARMSTRONG'S disobedience of the Order and Judgment."

(Ex. C, 3:1-10)

Nowhere in the subject January 26, 1997 declaration, a copy of which is appended hereto as Exhibit D, do I make the statements Scientology has included in its Order which Judge Thomas signed.

11. What I do state in that declaration is:

"This [October 17, 1995 Permanent Injunction] order does not, however, prohibit me from voluntarily assisting a person judging litigations involving the

1 order's "beneficiaries." I believe that the United  
 2 States District Court is a "governmental organ or  
 3 entity" excluded from the prohibitions of the order.  
 4 (See, Ex. [D], 8:1,2; 6,7) I am therefor providing the  
 5 original of this declaration to the Court."

6 12. The October 17, 1995 Permanent Injunction, a copy of  
 7 which is appended hereto as Exhibit E, specifically permits me to  
 8 "[v]oluntarily assist[ ] any [ ] government organ or entity [ ]  
 9 regarding [Scientology, its claims and claims against it]." (Ex.  
 10 E, 7:4-7; 8:1-7). My reasoning for the legality of my sending the  
 11 declaration to Judge Whyte is that if this Court's order prohibits  
 12 me from "voluntarily assisting," or freely communicating to,  
 13 government organs or entities about Scientology, I would not be  
 14 permitted to report, e.g., murder. Such an interpretation must  
 15 create a terrible illegality and a public wrong. Scientology is  
 16 widely known as a dangerous and criminal cult, and I believe  
 17 everyone must be free to communicate its dangers and criminality.  
 18 My January 26, 1997 declaration was the reporting of another crime  
 19 by Scientology, namely obstruction of justice through its attempt  
 20 to intimidate me, a subpoenaed witness. I believe that it was  
 21 completely legal, probably a civic duty, and certainly not  
 22 prohibited by the Permanent Injunction, for me to bring the  
 23 obstruction of justice, and the facts underlying and surrounding  
 24 it, to the attention of Judge Whyte who presided over the case in  
 25 which the obstruction of justice occurred.

26 13. On January 23, 1997 I received a subpoena from Grady  
 27 Ward in the case of RTC v. Ward, US District Court for the  
 28 Northern District of California, case no. C-96-20207 RMW. Mr.

1 Ward's subpoena stated:

2 "You are commanded to produce and permit inspection and  
3 copying of the following documents or objects [ ]:

4 All documents and declarations authored by yourself  
5 documenting abuse, fraud, and unlawful acts by the  
6 Church of Scientology Enterprise or any of its  
7 investigators, such as Eugene Martin Ingram."

8 A copy of the Ward subpoena is appended hereto as Exhibit F. See  
9 also Ex. D, 43:13-15. In response to Mr. Ward's subpoena I  
10 produced my January 26, 1997 declaration and the exhibits thereto.  
11

12 14. On January 24, 1997 I received by fax a letter, a true  
13 and correct copy of which is appended hereto as Exhibit G, from  
14 attorney Andrew Wilson, threatening prosecution in Superior Court  
15 if I provide the documents to Mr. Ward as subpoenaed. Mr.  
16 Wilson's statement in the second paragraph that my "obligation to  
17 produce documents in response to lawfully issued and served  
18 subpoena is unquestioned" I took to be an effort to give plausible  
19 deniability to the threat and the clear obstruction of justice  
20 contained in the rest of the letter. I understood Mr. Wilson to  
21 be saying for Scientology, "We know you have a legal right to  
22 produce the subpoenaed documents, but we're going to prosecute you  
23 anyway." See also Ex. D, 43:16-22. In response to Mr. Wilson's  
24 threat I sent the declaration I had been ordered to produce by Mr.  
25 Ward to Judge Whyte, who, I believed and believe, ought to be the  
26 government entity to be advised of and curtail Scientology's  
27 interference with a witness in the cases before him.

28 15. Mr. Ward's subpoena to me commanding the production of

1 declarations and other documents concerning Scientology private  
 2 investigator Ingram was relevant because Mr. Ingram had  
 3 orchestrated or participated in a number of crimes or intelligence  
 4 operations against me; e.g., threatening to put a bullet between  
 5 my eyes; illegally videotaping me; attempted entrapment; worldwide  
 6 black propaganda; harassment of my friends. He had also  
 7 orchestrated or participated in a number of crimes or intelligence  
 8 operations against my attorney Michael Flynn; e.g., framing him  
 9 with forgery of a \$2,000,000 check; paying known criminals to  
 10 attack him. Also my attorney Ford Greene; e.g., planting a spy in  
 11 his office to copy and/or steal his files; filing false bar  
 12 complaints; harassing his friends. I understand that Mr. Ward was  
 13 also the target of crimes or intelligence ops orchestrated or  
 14 participated in by Mr. Ingram, and that Mr. Ward was seeking  
 15 information in order to have Scientology and Ingram desist in such  
 16 crimes or ops.

17 16. The Order of Contempt signed by Judge Thomas states:

18 "The Injunction] prohibited ARMSTRONG from  
 19 voluntarily assisting any person arbitrating or  
 20 litigating adversely to the Beneficiaries and also  
 21 prohibited ARMSTRONG from facilitating in any manner the  
 22 creation, publication, broadcast, writing, electronic  
 23 recording or reproduction of various documentary works.  
 24 There is no suggestion, and certainly no showing by  
 25 ARMSTRONG, that he is incapable of complying with the  
 26 Order." (Ex. C, 2:20-26)

27 This untrue for three reasons. 1. I was subpoenaed and did not  
 28 "voluntarily" produce the documents I produced. 2. I was reporting



1 the criminal offense of obstruction of justice. 3. I was doing  
2 what every citizen should do: oppose injustice. I have stated  
3 countless times, since at least 1990, and remain convinced today,  
4 that it is wrong, illegal and dangerous for any entity, but  
5 particularly an organization such as Scientology, to be able to  
6 say whatever it wants about anyone, including me, and the target  
7 of those statements, including me, be unable to respond; and  
8 further, if he does respond, be subject to fines and imprisonment  
9 at the hands of the US Justice system. To not respond, then, is,  
10 because of that wrong, illegality and danger, for moral, ethical,  
11 legal and religious reasons, no matter what penalty injustice may  
12 impose, for me, impossible.

13 17. Appended hereto as Exhibit H is a true and correct copy  
14 of two documents I received in late November, 1996 from Craig  
15 Branch of the Watchman Fellowship, a Christian research and  
16 apologetics organization and publisher. The first is a letter  
17 dated October 21, 1996 from Cathy Norman of Scientology's Office  
18 of Special Affairs in Austin, Texas. OSA is the internal branch  
19 of the Scientology enterprise which carries out and coordinates  
20 its legal and extra-legal attacks on organization targets. The  
21 second document dated 10-May-1993 and entitled "[ ] SCIENTOLOGY VS  
22 GERALD ARMSTRONG..." is black PR on me. It is factually false and  
23 presents a false and degrading picture of me. Scientology sent  
24 these documents to Watchman Fellowship after obtaining the  
25 "injunction" against me, which is the subject of this appeal. It  
26 is similar to a paper mountain of black PR Scientology  
27 disseminated about me prior to the "injunction." In violation of  
28 an order in the Marin County case from which this appeal proceeds,

1 Scientology never produced this 1993 black PR document to me in  
2 discovery.

3 18. Appended hereto as Exhibit I is a true and correct copy  
4 of a letter dated February 14, 1997 from my attorney George W.  
5 Abbott to Ms. Norman, Scientology leader David Miscavige, and  
6 organization entities RTC and CSI, plaintiff and respondent  
7 herein. Mr. Abbott demands a retraction and payment of damages  
8 for their dissemination of defamatory documents (Ex. H).

9 19. Appended hereto as Exhibit J is a true and correct copy  
10 of a letter dated February 25, 1997 from attorney Wilson to Mr.  
11 Abbott refusing to retract the libel and rejecting the demand.  
12 Mr. Wilson states:

13 "[Armstrong] is [not] free to communicate orally,  
14 in writing or by any other legal means available to him  
15 to fully correct... alleged lies and distortions." (Ex.  
16 J, p.1, para. 3)

17 In my opinion, with this interpretation, the injunction signed by  
18 Judge Thomas creates a "legal" slavery. The cult of Scientology  
19 can say whatever it wants about me, no matter how false or  
20 distorted, and I can be jailed for any response.

21 20. Mr. Wilson also states:

22 "I have reviewed the documents which you allege are  
23 defamatory and am unable to find any statement  
24 concerning Mr. Armstrong, much less one which is  
25 defamatory." (Ex. J, p.1, para.3)

26 A glance at the defamatory documents (Ex. H) will reveal that Mr.  
27 Wilson is prevaricating. It should be understood that Mr. Wilson  
28 is a "beneficiary" of the "injunction," and I can be fined and

1 jailed for pointing out his prevarications, or even mentioning his  
2 name.

3 21. Scientology's dissemination of its black PR documents on  
4 me to the Watchman Fellowship should also be seen in light of the  
5 fact that Scientology is theologically antichristian, whereas I am  
6 a Christian, and the Watchman Fellowship is a Christian  
7 organization. I consider it diabolic that an antichristian cult  
8 can spread its lies about a Christian into the Body of Christian  
9 Believers, and the US Justice system would fine and imprison that  
10 Christian if he responded to defend not only his own reputation  
11 and credibility but his Fellows who might be lured into that cult.

12 22. Scientology promotes itself to the world, including to  
13 Christians, in its advertisements and public relations statements,  
14 as being "compatible with Christianity." In truth, once a person  
15 is inside, indoctrinated and subject to and held by the  
16 organization's mind control practices and pressures, he learns  
17 that not only is Scientology not compatible with Christianity, but  
18 that the organization enforces the belief that Jesus Christ, God  
19 and Heaven do not exist but are mechanisms of domination; and that  
20 belief in them is an indication of psychosis. In his bulletin  
21 dated May 11, 1963 entitled "Routine 3 Heaven," a true and correct  
22 copy of which is attached hereto as Exhibit K, L. Ron Hubbard,  
23 organization founder and "source" of its "scriptures," writes that  
24 Heaven, God and Christ are "implants," electronic mechanisms to  
25 entrap and enslave mankind. I consider these "religious"  
26 assertions, especially couched as they are in claims of  
27 scientifically demonstrable fact, to be blasphemous. "Routine 3  
28 Heaven" is considered by Scientology as part of its "confidential

1 Church scriptures" which it prevents newly indoctrinated people,  
2 also called in Scientologese "raw meat," from possessing or  
3 learning about. I possessed this bulletin inside the organization  
4 and legally possess it now.

5 23. In his bulletin dated September 23, 1968 entitled  
6 "Resistive Cases Former Therapy," a true and correct copy of which  
7 is attached hereto as Exhibit L, Mr. Hubbard writes that "the  
8 Christian Churches [ ] uses implanting." He calls them  
9 "gangsters" who "invented Christ (who comes from the crucifixion  
10 in R6 75m years ago)(Hubbard's parens.) and implanted their way to  
11 "power"." (Ex. L, p. 2). This is also one of Scientology's  
12 "secret scriptures," which I legally possess. It, like the rest  
13 of the organization's "secret scriptures," is antichristian and  
14 blasphemous.

15 24. Earlier this year I came across someone's internet site  
16 which contained part of Scientology's IRS Form 1023 responses to  
17 questions put to the organization by the IRS when dealing with its  
18 application for tax exemption. I discovered a section in the  
19 webbed 1023 submission, which Scientology had filed in 1991 or  
20 1992, containing the same sort of black PR on me as contained in  
21 other black PR published on me by the organization. Scientology  
22 had also not produced this Form 1023 black PR to me in the case  
23 that has resulted in this appeal, despite an order by which it  
24 should have been produced. A true and correct copy of part of the  
25 1023 submission, which I recently downloaded off the internet and  
26 printed is appended hereto as Exhibit M. Scientology's statements  
27 about me and my earlier litigation, Los Angeles Superior Court  
28 Case No. C 420153, are in fact and conclusion false. The decision

1 of Judge Paul G. Breckenridge, Jr. in that case was affirmed on  
 2 appeal, Scientology v. Armstrong, (1991), 232 Cal.App.3rd 1060, 283  
 3 Cal.Rptr. 917. Scientology was granted tax exemption by the IRS  
 4 in 1993 on the basis of this false submission. Scientology  
 5 submitted these false statements to the IRS during a time it  
 6 believed it had me silenced and therefore unable to respond to its  
 7 falsehoods. The importance of my earlier litigation and testimony  
 8 to the IRS in its denial of Scientology's tax exemption is shown  
 9 by Scientology's statements in the 1023 response:

10 "the Service has continuously thrust the **Armstrong**  
 11 case at us, demanding an explanation." (Ex.M. p.1, 2nd  
 12 to last para.)

13 "The IRS CID, however, absorbed Breckenridge's  
 14 findings as the definitive statement of what Scientology  
 15 is, and used this decision and the Flynn witnesses who  
 16 testified at the trial as the nucleus of their  
 17 investigation." (Ex. M, p. 4, top)

18 25. I believe that Scientology will do anything to silence  
 19 me completely and forever. I also believe that Scientology's  
 20 false submission to the IRS and its obtaining of its tax exemption  
 21 thereon constitutes a massive fraud upon the people of not only  
 22 the US but the world. I have therefore had to leave the US, where  
 23 Scientology can prevent me from correcting this fraud, and have me  
 24 harmed in many ways to so prevent me, to be in a country where I  
 25 have legal protection from Scientology's abuse of the justice  
 26 system and where I can correct its fraud. In the US I would be  
 27 subject to imprisonment for communicating with people to request  
 28 funding to prosecute my claims against Scientology, or even to

1 request funding to be able to proceed with this appeal.

2 26. Appended hereto as Exhibit N is a true and correct copy  
3 of my letter of March 6, 1997 to David Miscavige, titularly  
4 chairman of the board of RTC, and de facto supreme head of the  
5 Scientology enterprise. This letter requests a meeting with Mr.  
6 Miscavige in order to correct the falsehoods in his organization's  
7 1023 submission, and hopefully bring about other reforms in  
8 Scientology, and lays out a program I intend to follow if he  
9 refused to meet and correct the record.

10 27. Appended hereto as Exhibit O is a true and correct copy  
11 of a letter dated March 25, 1997 to Mr. Miscavige from my attorney  
12 George Abbott, sent as a cover letter to my March 6 letter. These  
13 two letters were refused and returned by Mr. Miscavige and RTC.

14 28. Appended hereto as Exhibit P is a true and correct copy  
15 of a letter dated May 5, 1997 to Mr. Miscavige from Mr. Abbott,  
16 sent as a fax cover letter to my March 6, 1997 letter and Mr.  
17 Abbott's March 25, 1997 letter.

18 29. Appended hereto as Exhibit Q is a true and correct copy  
19 of a letter dated May 8, 1997 to Mr. Abbott from attorney Andrew  
20 Wilson. Mr. Wilson rejects my proposal to meet and correct  
21 Scientology's falsehoods. He states:

22 "We seek nothing more than the peace we have  
23 already bargained for." (Ex. Q, p. 2)

24 I believe there is no peace as long as one party to a "peace  
25 accord" can attack the other party without the attacked party  
26 being able to defend itself. I believe that is slavery, and  
27 should be opposed in every way. It is to be able to oppose this  
28 injustice and this threat to myself, brought about by

1 Scientology's unclean hands in its dealings with me, that I have  
2 left the US, not as Mr. Wilson asserts in his declaration.

3 30. David Miscavige's participation in this black PR  
4 campaign on me is shown in a declaration he executed February 8,  
5 1994 and filed in the case of Scientology v. Fishman and Geertz,  
6 US District Court for the Central District of California, Case No.  
7 CV 91-6426 HLH(Tx). Relevant pages from that declaration are  
8 appended hereto as Exhibit R. He devotes a paragraph to attacking  
9 and lying about me, although I had never up to that time filed any  
10 statement in the Fishman case. (Ex. R, 31:22-32:14) His sworn  
11 statements contain the same falsehoods as Scientology's black PR  
12 to the IRS and Watchmen Fellowship, and others. In response to  
13 this attack and to provide the truth underlying Mr. Miscavige's  
14 false charges I filed in Fishman a declaration executed February  
15 22, 1994. This declaration is cited to in the "Injunction" as  
16 "providing voluntary assistance" to the Fishman litigation  
17 defendants. (Ex. E, 4:8-11) In other words, Scientology's  
18 supreme leader can file any statement he wants about me, and I  
19 cannot respond, or if I do respond, I can be jailed. Since  
20 discovery was already closed in Fishman when Mr. Miscavige filed  
21 his false declaration about me, I could not have been subpoenaed  
22 by the defendants to correct the record.

23 31. Mr. Miscavige's lying is shown very clearly with his  
24 statement: "In a police-sanctioned investigation..." (Ex. R,  
25 31:28) Appended hereto as Exhibit S is a true and correct copy of  
26 a public statement issued April 23, 1985, by Los Angeles Police  
27 Chief Daryl F. Gates. This statement was made after it came to  
28 light that Scientology private investigator Ingram, paid an LAPD

1 Officer, Phillip Rodriguez, for a phony authorization to wiretap  
2 and videotape me and my attorney Michael flynn. Chief Gates  
3 states:

4 "It has come to my attention that a member of the  
5 L.A.P.D. very foolishly, without proper authorization  
6 and contrary to the policy of this Department, signed a  
7 letter to Eugene M. Ingram, believed to have been  
8 drafted by Ingram himself. The letter purports to  
9 authorize Ingram to engage in electronic eavesdropping.  
10 The letter, along with all the purported authorization,  
11 is invalid and is NOT a correspondence from the Los  
12 Angeles Police Department.

13 The Los Angeles Police Department has not  
14 cooperated with Eugene Ingram. It will be a cold day in  
15 hell when we do."

16 Rodriguez was suspended from the LAPD for providing Ingram with  
17 the phony authorization.

18 32. That the IRS's granting tax exemption to the Scientology  
19 enterprise is of major importance, and widely known and  
20 criticized, is shown by the March 9, 1997 New York Times front and  
21 multi-page article entitled "Scientology's Puzzling Journey From  
22 Tax Rebel to Tax Exempt," a true and correct copy of which is  
23 appended hereto as Exhibit T. This article deals as well with  
24 Scientology's "ultra-aggressive use of investigators and the  
25 courts."

26 33. Appended hereto as Exhibit U is a true and correct copy  
27 of an article from the April, 1997 George Magazine, entitled  
28 "Clash of the Titans: The German Government Says The Church of



1 Scientology is a Tyrannical Cult..." On information and belief,  
2 the German government has more recently put the Scientology  
3 organization, which is not recognized as a "church" under  
4 surveillance because of its "totalitarian goals" and antisocial  
5 practices.

6 34. Because of the steps I have taken since leaving the US,  
7 including joining the public discussion concerning Scientology's  
8 abuse of the justice system and its global totalitarian goals, and  
9 communicating to various government entities who are responsible  
10 for permitting and correcting Scientolgy's abuses, such as its  
11 false submission to the IRS, I believe that I will soon be able to  
12 return to my home there. Regardless, I will in the next short  
13 time locate and file in the Court of Appeal the missing documents  
14 listed on the Clerk's Declaration (Ex. A). I believe that the  
15 facts provided herein and the authenticated exhibits appended  
16 hereto show that the issues in this appeal are, contrary to what  
17 Mr. Wilson avers, complex, and the saga which brings this appeal  
18 before this Court very long and complicated. I also believe that  
19 these things show the importance of this appeal in relation to the  
20 purpose and function of the justice system itself, and to the US  
21 and California Constitutions. I have shown good cause for an  
22 extension of time to be able to adequately file my opening brief.  
23 This Court has the authority and an opportunity to stop injustice  
24 when injustice enters its doors, and I ask that it take a step to  
25 do so by granting this request.

26 35. As I have already advised this Court, and I am certain  
27 is obvious, I am not an attorney. I have no access at this time  
28 to California Rules of Court nor to any other California legal

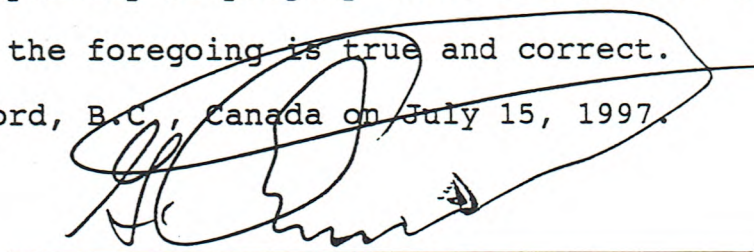
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

books. I am also in forma pauperis, unfunded, and working full time just to survive in life. I again apologize in advance for any form faults, procedure errors or rules violations.

36. I will be one day late in express mailing this document because I am unable until tomorrow to contact the person who can mail the copies and sign the proof of service.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Abbotsford, B.C., Canada on July 15, 1997.



GERALD ARMSTRONG

PROOF OF SERVICE

I am employed in the Province of British Columbia, Canada. I am over the age of eighteen years and am not a party to the above entitled action. I served the following document:

**REQUEST FOR EXTENSION TO FILE APPELLANT'S BRIEF**

on the following person(s) on the date set forth below, by delivering a true copy thereof enclosed in a sealed envelope to the addressees below:

Supreme Court of the State of California  
303 2nd Street, #8023  
San Francisco, CA 94107

Andrew Wilson, Esquire  
Wilson Campilongo LLP  
115 Sansome Street, Suite 400  
San Francisco, California 94104

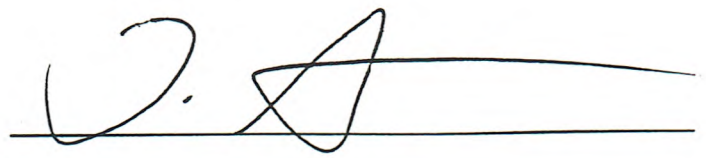
*Clerk, Marin Superior Ct  
Civic Center  
San Rafael, CA  
94903*

(By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the Canadian mail at Abbotsford, B.C., Canada.

(Personal) I caused said papers to be personally served on the office of counsel.

(State) I declare under penalty of perjury under the laws of Canada and the State of California that the above is true and correct.

DATED: July 16, 1997



APR 08 1997

CLERK'S DECLARATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. This transcript contains documents from the following cases:

Marin County Case No. 152229 (Volume 1)

Los Angeles County Case No. BC052395 (Volumes 1 - 11)

Marin County Case No. 157680 (Volumes 12 - 35)

2. Los Angeles Case No. BC084462 documents, as requested in appellant's Notice of Designation of Clerk's Transcript, are not included in the record. This case was not included in the files transferred back to Marin County.

3. The following documents were requested in the appellant's Notice of Designation of Clerk's Transcript. They were not found in the files, even after diligent search.

a. # 29: (Defendant's Notice of Ex Parte Application and Ex Parte Application to Continue Hearing Date on OSC Re Contempt; Declaration of Ford Greene; [Proposed Order],

b. # 40: (Plaintiff's) Request for Judicial Notice of Documents Previously Filed in Church of Scientology International vs. Armstrong; and Declaration of Laurie J. Bartilson,

c. # 41: (Plaintiff's) Request for Judicial Notice of Documents; Declaration of Laurie J. Bartilson,

d. # 73: (Plaintiff's) Notice of Change of Hearing Date (Re motion for summary adjudication of cross-complaint to 8/2/94),

e. # 75: (Plaintiff's) Letter of Laurie J. Bartilson to Judge Diane Wayne re OSC re Contempt,

f. # 80: Plaintiff's Lodging of Exhibit a to Declaration of Lawrence E. Heller,

g. # 86: Notice of Outgoing Transfer,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Page 2, Clerk's Declaration**

**h. #87: Armstrong's Opposition to Ex Parte Application for Order Deeming an Incomplete File to be "complete" Declarations of Ford Greene; Sanctions Request,**

**i. #115: (CSI's) Notice of Entry of Order Shortening Time for briefing Schedule and Hearing Date of Motion for Consolidation and Continuance of Trial Date,**

**j. #122: Plaintiff's Memorandum of Points and Authorities in Support of Motion for Summary Adjudication of the Fourth, Sixth and eleventh Causes of Action of Plaintiff's second Amended Complaint and Exhibits Thereto,**

**k. #128: Armstrong's Evidence in Support of Supplemental Declaration in Opposition to Scientology's Motion for Summary Adjudication of the fourth, Sixth and Eleventh causes of Action of Second Amended Complaint,**

**l. #129: Armstrong's Supplemental Declaration in Opposition to Scientology's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint,**

**m. #132: Church of Scientology International's Ex Parte Application for an Order Striking Armstrong's Late-filed supplemental Declaration in Opposition to Plaintiff's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint, or, in the alternative, for a Order Sealing Exhibits A and M to Said Declaration; Request for Sanctions [C.C.P.. sec. 437C(i)],**

**n. #133: (Plaintiff's) Declaration of Laurie J. Bartilson in Support of Church of Scientology International's Ex Parte Application for an Order Striking Armstrong's Late-filed Supplemental Declaration Opposition to Plaintiff's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint, or, in the Alternative, for an Order Sealing Exhibits A and M to Said Declaration,**

**o. #134: Church of Scientology International's Memorandum of Points and Authorities in Support of Ex Parte Application for an Order Striking Armstrong's Late-filed Supplemental Declaration in Opposition to Plaintiff's Motion for Summary Adjudication of the Fourth, Sixth and Eleventh Causes of Action of Second Amended Complaint, or, ion the Alternative, for an Order Sealing Exhibits A and M to Said Declaration; Request for Sanctions [C.C.P.. Sec 437C(i)],**

**p. #135: Armstrong's Declaration in Opposition to Ex Parte Application for Order Striking Declaration re Summary Adjudication,**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Page 3, Clerk's Declaration**

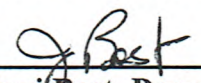
**q. #136: Armstrong's Opposition to Ex Parte Application for Order Striking Declaration re Summary Adjudication**

**r. #148: (Plaintiff's) Notice of Lodging Video Tape as Exhibit IK in Support of Plaintiff's Notice of Motion and Motion for Summary Adjudication of the Thirteenth, Sixteenth, Seventeenth and Nineteenth Causes of Action of Plaintiff's Second Amended Complaint,**

**s. #155: (Plaintiff's) Declaration of Laurie J. Bartilson in Support of Plaintiff's Opposition to Defendant Gerald Armstrong's Third Ex Parte Application Continue Hearing on Motions for Summary Adjudication,**

**t. #156: Plaintiff's Opposition to Defendant Gerald Armstrong's Third Ex Parte Application to Continue Hearing on Motions for Summary Adjudication,**

**u. #187: (Plaintiff's) Notice of Ruling (Re 10/17/95 Orders).**

  
\_\_\_\_\_  
Jerri Bost, Deputy Clerk

1 ANDREW H. WILSON, ESQ., SBN 063209  
 LINDA M. FONG, ESQ., SBN 124232  
 2 WILSON CAMPILONGO LLP  
 115 Sansome Street, Suite 400  
 3 San Francisco, California 94104  
 (415) 391-3900  
 4 (415) 954-0938 (fax)

5 KENDRICK MOXON, ESQ., SBN 128240  
 MOXON & BARTILSON  
 6 6255 Sunset Boulevard, Suite 2000  
 Hollywood, CA 90028  
 7 (213) 953-3360  
 (213) 953-3351 (fax)

8  
 9 Attorneys for Plaintiff  
 CHURCH OF SCIENTOLOGY INTERNATIONAL

10  
 11 CALIFORNIA COURT OF APPEAL  
 12 FIRST APPELLATE DISTRICT  
 13 DIVISION FOUR

|                                |   |                                   |
|--------------------------------|---|-----------------------------------|
| 14 CHURCH OF SCIENTOLOGY       | ) | Appeal No. A075027                |
| 15 INTERNATIONAL, a California | ) |                                   |
| not-for-profit religious       | ) | Marin County Superior             |
| 16 corporation;                | ) | Court No. 157680                  |
|                                | ) |                                   |
| 17 Plaintiff and               | ) | <b>DECLARATION OF ANDREW</b>      |
| Respondent,                    | ) | <b>H. WILSON IN OPPOSITION TO</b> |
|                                | ) | <b>APPELLANT'S REQUEST FOR</b>    |
| 18 v.                          | ) | <b>EXTENSION OF TIME TO</b>       |
|                                | ) | <b>FILE OPENING BRIEF</b>         |
| 19 GERALD ARMSTRONG, et al.,   | ) |                                   |
|                                | ) |                                   |
| 20 Defendant and               | ) |                                   |
| 21 Appellant.                  | ) |                                   |

22  
 23 ANDREW H. WILSON deposes and says:

24 1. My name is Andrew H. Wilson and I am an attorney licensed to practice before  
 25 all Courts of the State and have my business address at 115 Sansome Street, 4th Floor, San  
 26 Francisco, CA 94104. I am one of the attorneys for Plaintiff Respondent in the referenced  
 27 matter and was one of the attorneys for Plaintiff below. I have personal knowledge of the facts  
 28 set forth in this Declaration and could competently testify thereto if called as a witness.

1           2.       On October 17, 1995 the Court below entered an Order of Permanent Injunction  
 2 against Defendant Gerald Armstrong following a Motion for Summary Adjudication brought by  
 3 Plaintiff. This Order was later incorporated into a Judgment entered against Mr. Armstrong on  
 4 May 2, 1996 (the "Judgment"). One of the prohibitions contained in the Order was against  
 5 Armstrong assisting persons involved in litigation with certain designated "beneficiaries" of the  
 6 Order, one of whom was Religious Technology ("RTC"). Despite the injunction Armstrong did  
 7 render such assistance by writing and filing a lengthy declaration in three cases currently pending  
 8 in United States District Court for the Northern District of California (RTC v. Erlich, Action No.  
 9 C95-20091 RMW; RTC v. Henson, Action No. C96-20271 RMW; RTC v. Ward, Action No.  
 10 C96-20207 RMW).

11           3.       As a result of the above, Plaintiff procured an Order to Show Cause against  
 12 Armstrong which Order required Armstrong to appear and show cause as to why he should not  
 13 be held in contempt for violation of the Order. Despite numerous attempts, it was not possible  
 14 to personally serve Armstrong with the Order to Show Cause. Consequently, Plaintiff procured  
 15 an Order for Service by Publication of the Order to Show Cause which service was completed and  
 16 a hearing on the Order to Show Cause was held on May 23, 1997.

17           4.       At that hearing, the Honorable Gary W. Thomas issued an oral Order holding Mr.  
 18 Armstrong in contempt and requested me to prepare a written Order for his signature. Attached  
 19 hereto as Exhibit A is a true and correct copy of the Order which was executed by Judge Thomas  
 20 and filed on June 5, 1997 is attached hereto and incorporated herein by reference.

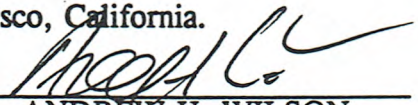
21           5.       The "threats from the Scientology organization" to which Mr. Armstrong refers in  
 22 paragraph three of his Declaration are nothing more than correspondence which I had directed to  
 23 Mr. Armstrong relating to his violations of the Order and threats to bring contempt proceedings  
 24 if this conduct did not cease. It is apparent that Armstrong fled the area in order to avoid the  
 25 service of the Order to Show Cause upon him and remains in hiding in order to avoid the  
 26 \$1,000.00 fine and two day imprisonment sanction which Judge Thomas imposed upon him.

27 ////

28 ////



1 I declare under penalty of perjury that the foregoing is true and correct and that this  
2 Declaration was executed on June 3, 1997 at San Francisco, California.

  
\_\_\_\_\_  
ANDREW H. WILSON

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

FILED

JUN 05 1997

1 Andrew H. Wilson  
2 WILSON, RYAN & CAMPILONGO  
3 235 Montgomery Street  
4 Suite 450  
5 San Francisco, California 94104  
6 (415) 391-3900

7 Attorneys for Plaintiff  
8 CHURCH OF SCIENTOLOGY INTERNATIONAL

JOHN P. MONTGOMERY,  
Court Executive Officer  
MARIN COUNTY COURTS  
By: C. Baker, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF MARIN

|    |                             |   |                          |
|----|-----------------------------|---|--------------------------|
| 9  | CHURCH OF SCIENTOLOGY       | ) | Case No. 152229          |
| 10 | INTERNATIONAL, a California | ) |                          |
| 11 | not-for-profit religious    | ) |                          |
| 12 | corporation;                | ) | <u>ORDER OF CONTEMPT</u> |
| 13 |                             | ) |                          |
| 14 | Plaintiff,                  | ) |                          |
| 15 |                             | ) |                          |
| 16 | vs.                         | ) |                          |
| 17 |                             | ) |                          |
| 18 | GERALD ARMSTRONG; DOES 1    | ) |                          |
| 19 | through 25, inclusive,      | ) |                          |
| 20 |                             | ) |                          |
| 21 | Defendants.                 | ) |                          |

22 The contempt proceedings against Defendant GERALD ARMSTRONG  
23 came on for hearing by the Court on May 23, 1997 pursuant to this  
24 Court's ORDER TO SHOW CAUSE RE CONTEMPT issued on February 18,  
25 1997, and further pursuant to this Court's ORDER ALLOWING SERVICE  
26 OF THE ORDER TO SHOW CAUSE RE CONTEMPT issued on March 5, 1997.  
27 Petitioner CHURCH OF SCIENTOLOGY INTERNATIONAL appeared by its  
28 counsel, Andrew H. Wilson. Defendant ARMSTRONG did not appear  
nor did Defendant file any opposition or evidence.

GOOD CAUSE APPEARING THEREFOR, the Court makes the following findings:

1. On October 17, 1995 this Court entered an Order of Permanent Injunction against ARMSTRONG (the "Order") following motions for summary adjudication brought by Plaintiff. This

1 Order was later incorporated into a judgment entered against Mr.  
2 Armstrong on May 2, 1996 (the "Judgment"). The Order prohibits  
3 ARMSTRONG from voluntarily assisting any persons litigating  
4 claims adverse to the "Beneficiaries" and from creating or  
5 publishing "works" discussing any of the Beneficiaries. One of  
6 the Beneficiaries is a corporation known as Religious Technology  
7 Center ("RTC").

8 2. The Order was valid when rendered and remains fully  
9 enforceable, notwithstanding ARMSTRONG's appeal of the Judgment.  
10 The filing of a Notice of Appeal does not render a valid order  
11 unenforceable.

12 3. ARMSTRONG had knowledge of the Order. ARMSTRONG's  
13 counsel appeared at the hearing pertaining to the Order and  
14 received Notice of Entry. ARMSTRONG also received a Notice of  
15 Entry of Order which was served on his counsel. ARMSTRONG's  
16 actual knowledge of the Order is also shown by the fact that  
17 ARMSTRONG himself signed and filed a Notice of Appeal of the  
18 Judgment.

19 4. ARMSTRONG had the ability to comply with the Order. The  
20 Order was specific. It prohibited ARMSTRONG from voluntarily  
21 assisting any person arbitrating or litigating adversely to the  
22 Beneficiaries and also prohibited ARMSTRONG from facilitating in  
23 any manner the creation, publication, broadcast, writing,  
24 electronic recording or reproduction of various documentary  
25 works. There has been no suggestion, and certainly no showing by  
26 ARMSTRONG, that he is incapable of complying with the Order.

27 ///

28 ORDER OF CONTEMPT



PROOF OF SERVICE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare that I am employed in the City and County of San Francisco, California.

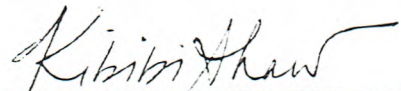
I am over the age of eighteen years and not a party to the within entitled action. My business address is 115 Sansome Street, Suite 400, San Francisco, California.

On June 9, 1997, I caused the attached copy of **RESPONDENT'S OPPOSITION TO APPELLANT'S REQUEST FOR EXTENSION OF TIME TO FILE OPENING BRIEF AND DECLARATION OF ANDREW H. WILSON IN OPPOSITION TO APPELLANT'S REQUEST FOR EXTENSION OF TIME TO FILE OPENING** on the following in said cause, by placing for deposit with S-CAR-GO Couriers, Inc. on this day in the ordinary course of business, true copies thereof enclosed in sealed envelopes. The envelopes were addressed as follows:

Gerald Armstrong  
c/o George W. Abbot, Esq.  
2245-B Meridian Boulevard  
P.O. Box 98  
Minden, Nevada 89423-0098

Gerald Armstrong  
715 Sir Francis Drake Boulevard  
San Anselmo, CA 94960

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on June 9, 1997.

  
\_\_\_\_\_  
KIBIBI N. SHAW

WILSON CAMPILONGO LLP  
115 Sansome Street, Suite 400  
San Francisco, California 94104

January 26, 1997

Honorable Ronald M. Whyte  
United States District Court  
280 South First Street, Room 2112  
San Jose, CA 95113

BY MAIL

Re: RTC v. Ward  
RTC v. Henson  
RTC v. Erlich

Dear Judge Whyte:

The first few pages of this declaration explain why I am sending it directly to you.

I hope that you take the time to understand why I have done so and what the declaration and exhibits mean.

Thank you for your anticipated appropriate decisions.

Yours sincerely,

A handwritten signature, likely of Gerald Armstrong, is written in ink. To the right of the signature is a large, dark, scribbled-out mark that obscures some of the text on the page.

Gerald Armstrong  
715 Sir Francis Drake Boulevard  
San Anselmo, CA 94960  
(415) 456-8450

cc (letter, dec and exs):  
Grady Ward  
Keith Henson  
Harold J. McElhinny, Esq.  
Thomas R. Hogan, Esq.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Religious Technology Center, ) No. C-96-20207 RMW  
Plaintiff, )  
v. )  
Grady Ward, )  
Defendant )

Religious Technology Center, ) No. C-96-20271 RMW  
Plaintiff, )  
v. )  
H. Keith Henson, )  
Defendant )

Religious Technology Center, ) No. C-95-20091 RMW  
et al., )  
Plaintiffs, )  
v. )  
Dennis Erlich, et al., )  
Defendants )

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

- 1. I have personal knowledge of the facts set forth in

1 this declaration and could competently testify thereto if called  
2 as a witness.

3 2. I am a writer, artist and philosopher. Theologically  
4 speaking I am a prophet. Speaking religiously, I am a Christian.

5 3. I am an expert and have testified as an expert in the  
6 areas of the Scientology organization's structure, nature,  
7 philosophy, policies, practices, history, specifically regarding  
8 its notorious fair game doctrine, its fraudulent representations,  
9 its legal abuses and tactics, and its "theology." I have  
10 testified, either in deposition or trial, over 60 days in  
11 approximately 20 Scientology related cases. I have written and  
12 executed dozens of declarations, which I will supply the Court if  
13 requested, concerning my Scientology knowledge and experiences.  
14 I have stated most of the facts contained in this declaration in  
15 these earlier sworn statements.

16 4. I have been sued by the Scientology organization five  
17 times since 1982 in its continuing effort to prevent me from  
18 speaking the truth and to destroy me financially. I have been  
19 throughout this time a world-wide target of Scientology's  
20 character assassination campaign or "black propoganda," which it  
21 also calls "dead agenting." To "dead agent" someone, according  
22 to Scientology founder L. Ron Hubbard, is to destroy a target's  
23 credibility so that someone else "kills" him. I will list some  
24 of these acts below. Scientology is controlled and directed by  
25 David Miscavige.

26 5. Within the past three weeks I have obtained an internet  
27 account and have started reading the newsgroup alt.religion.  
28 scientology. Grady Ward, defendant herein, posted a request for  
declarations concerning knowledge of fair game operations, and



1 specifically ops involving organization private investigator  
2 Eugene M. Ingram. Mr. Ward stated that the declarations are  
3 needed fairly urgently. I have such knowledge, some of which I  
4 will provide below. I am aware of the related cases before this  
5 Court, RTC v. Erlich, and RTC v. Henson, and will also provide  
6 this declaration to those parties.

7 6. I am submitting this declaration directly to the Court  
8 because of an order filed October 17, 1995, a true and correct  
9 copy of which is attached herewith as Exhibit A, in the case of  
10 Scientology v. Gerald Armstrong, Marin Superior Court Case No.  
11 157680 ("Armstrong IV"). By that order, which became part of a  
12 "judgment" filed May 2, 1996, a true and correct copy of which is  
13 attached herewith as Exhibit B, I am prohibited from:

14 "2. Voluntarily assisting any person (not a government  
15 organ or entity) defending a claim, intending to defend a  
16 claim, intending to defend an arbitration, or intending to  
17 defend any claim being pressed, made, arbitrated or  
18 litigated by any of the Beneficiaries, regarding such claim  
19 or regarding defending, arbitrating, or litigating against  
20 it;

21 3. Voluntarily assisting any person (not a government  
22 organ or entity) arbitrating, or litigating adversely to any  
23 of the Beneficiaries;" (Ex. A, 8:1-7)

- 24 7. The "Beneficiaries" are:
- 25 - The Church of Scientology International, its officers,  
26 directors, agents, representatives, employees, volunteers,  
27 successors, assigns and legal counsel;
  - 28 - The Church of Scientology of California, its officers,  
directors, agents, representatives, employees, volunteers,

- 1 successors, assigns and legal counsel;
- 2 - Religious Technology Center, its officers, directors,
- 3 agents, representatives, employees, volunteers, successors,
- 4 assigns and legal counsel;
- 5 - The Church of Spiritual Technology, its officers,
- 6 directors, agents, representatives, employees, volunteers,
- 7 successors, assigns and legal counsel;
- 8 - All Scientology and Scientology affiliated Churches,
- 9 organizations and entities, and their officers, directors,
- 10 agents, representatives, employees, volunteers, successors,
- 11 assigns and legal counsel;
- 12 - Author Services, Inc., its officers, directors, agents,
- 13 representatives, employees, volunteers, successors, assigns
- 14 and legal counsel;
- 15 - The Estate of L. Ron Hubbard, its executor,
- 16 beneficiaries, heirs, representatives, and legal counsel;
- 17 and/or
- 18 - Mary Sue Hubbard;" (Ex. A, 7:8-28).

19 8. By this order I am prohibited from providing this  
 20 declaration to Mr. Ward, Mr. Erlich or Mr. Henson for their  
 21 defense, since the plaintiff RTC is one of the "beneficiaries."  
 22 Eugene Ingram, being Scientology's agent, is a protected  
 23 "beneficiary" as well, as are all of its corporations' attorneys,  
 24 including its attorneys herein.

25 9. I am also prohibited by this order from:  
 26 "5. Discussing with anyone, not a member of [my]  
 27 immediate family or [my] attorney, Scientology, the Church,  
 28 and/or any of the Beneficiaries;" (Ex. A, 8:14-16)

Thus, I may not even, and remain in compliance with this order,

1 tell Mr. Ward, Mr. Erlich, Mr. Henson, or anyone else being  
2 persecuted by the Scientology organization with its well known  
3 and well greased fair game machinery and operatives, one word of  
4 my knowledge concerning these persecutors, or that I am myself so  
5 persecuted.

6 10. This order does not, however, prohibit me from  
7 voluntarily assisting a person judging litigations involving the  
8 order's "beneficiaries." I believe that the United States  
9 District Court is a "governmental organ or entity" excluded from  
10 the prohibitions of the order. (See, Ex. A, 8:1,2; 6,7) I am  
11 therefor providing the original of this declaration to the Court.  
12 I also believe that it would be improper to send this declaration  
13 to the Court in secret, thus I am sending copies to the parties  
14 or their counsel.

15 11. I believe the order and judgment are illegal on their  
16 faces, and obtained by Scientology through illegal tactics. The  
17 "contract" which the "order" enforces was obtained by Scientology  
18 through threat, fraud, related criminal activities, and the  
19 vitiation of my lawyers. I have appealed the judgment, and  
20 believe that I will prevail and be free from Scientology's very  
21 damaging, illegal and evil efforts to keep me suppressed and  
22 defenseless. In the meantime, I am by this declaration making  
23 known some of Scientology's abuses, one of which is this order  
24 itself, and I am working for their cessation, for safety, peace  
25 and sanity on whatever channels remain to me. I know that  
26 certain of Scientology's leaders and agents are vindictive,  
27 desperate and dangerous, and have targeted me as a major "enemy."  
28 I believe I am in considerable physical danger at this time.

What Scientology's leaders have done and ordered done to suppress

1 and destroy me in the past 15 years is unbelievable, and these  
2 people evidence a continuing determination to keep that history  
3 of suppression and destruction from ever being believed or even  
4 known.

5 12. Attached hereto as Exhibit C is a true and correct copy  
6 of a document entitled "Mutual Release of All Claims and  
7 Settlement Agreement," (hereinafter, ""settlement agreement"")  
8 which was part of the December, 1986 "settlement" of my cross-  
9 complaint in the first case in which Scientology sued me in 1982,  
10 Scientology v. Armstrong, Los Angeles Superior Court Case No.  
11 420153 ("Armstrong I"). Scientology's judicial enforcement of  
12 the "settlement agreement" resulted in the order and judgment  
13 appended hereto as Exhibits A and B. I will describe in paras.  
14 22 through 32 below how Scientology obtained my signature on this  
15 document.

16 13. I became involved with Scientology as a customer in 1969  
17 in Vancouver, B.C. I worked on staff there in 1970, and in  
18 February 1971 joined the Sea Organization ("Sea Org" or "SO") in  
19 Los Angeles. I was flown to Spain and joined the Sea Org's flag  
20 ship, "Apollo," in Morocco. L. Ron Hubbard, the SO's  
21 "Commodore," and all of Scientology's supreme leader, was on  
22 board and operated Scientology internationally through the "crew"  
23 which numbered, during my stay on board of four and a half years,  
24 around four hundred. All my staff positions on board involved  
25 personal contact with L. Ron Hubbard, Mary Sue Hubbard,  
26 administrative organization staff, and people in the ports and  
27 countries the "Apollo" visited, and included "Ship's  
28 Representative" (legal officer), "Port Captain" (public relations  
officer), and "Intelligence Officer."

1           14. In the fall of 1975, after the ship operation moved  
 2 ashore in Florida, I was posted in the Guardian's Office (GO)  
 3 Intelligence Bureau connected to Hubbard's Personal Office. From  
 4 December 1975 through June 1976 I held the post of Deputy LRH  
 5 External Communications Aide, a relay terminal for Hubbard's  
 6 written and telex traffic to and from Scientology organizations.  
 7 From July 1976 to December 1977 I was assigned, on Hubbard's  
 8 order, to the Rehabilitation Project Force ("RPF"), the SO prison  
 9 system, in Clearwater, Florida. In 1978 I worked in Hubbard's  
 10 cinematography crew in La Quinta, California making movies under  
 11 his direction until the fall of that year when he again assigned  
 12 me to the RPF, this time for eight months, initially in La  
 13 Quinta, then at a newly purchased base at Gilman Hotsprings near  
 14 Hemet, California. When I got out of the RPF in the spring of  
 15 1979, and until the beginning of 1980, I worked in Hubbard's  
 16 "Household Unit" ("HU") at Gilman, the SO unit which took care of  
 17 Hubbard's house, personal effects, transport, meals and so forth.  
 18 My posts included "Purchaser," "LRH Renovations In-Charge" and  
 19 "Deputy Commanding Officer HU."

20           15. Throughout 1980, and until I left the organization in  
 21 December 1981, I held the organization posts in Hubbard's  
 22 "Personal Public Relations Bureau" of "LRH Archivist" and "LRH  
 23 Personal Researcher." I assembled in Los Angeles an archive of  
 24 Hubbard's writings and other materials relating to his history to  
 25 be used as the basis for a biography to be written about the man.  
 26 I also worked in Los Angeles for the first few months of 1980 on  
 27 Mission Corporate Category Sortout ("MCCS"), which had the  
 28 purpose of restructuring the Scientology enterprise so that  
 Hubbard could continue to control it without being liable for its

1 actions. Beginning in the fall of 1980 and continuing until my  
2 departure, I provided the biographical writings and other  
3 materials, as I collected and organized them, to a non-  
4 scientologist writer Omar Garrison, who had contracted with the  
5 organization to write the Hubbard biography. I interviewed many  
6 people who had known Mr. Hubbard at periods throughout his life,  
7 including almost all of his living relatives. I traveled several  
8 thousand miles collecting biographical information and conducting  
9 a genealogy search, and arranged the purchase of a number of  
10 collections of Hubbard-related documents and other materials from  
11 individual collectors.

12 16. Through my research and study of documentary evidence I  
13 learned that Mr. Hubbard had lied about his past, credentials,  
14 accomplishments, relationships and intentions. I disproved many  
15 of the claims made by Hubbard in his biographies printed in  
16 Scientology publications and used in promotion of the man and his  
17 philosophy and psychotherapy, and attempted to get the  
18 organization executives responsible for these publications to  
19 correct the false claims. As a result I was deemed a threat, and  
20 ordered to be "security checked," an interrogation employing an  
21 electronic meter as a lie detector, a procedure I had undergone  
22 many times in the Sea Org. I had by this time also debunked the  
23 significant representations Hubbard had made about himself or his  
24 "technology" which had drawn me into and kept me in the  
25 organization for over twelve years; e.g., that he was an engineer  
26 and an atomic physicist; that he had been crippled and blinded in  
27 combat in World War II and had cured himself with his mental  
28 science discoveries; that it was a matter of medical record that  
he had twice been pronounced dead; that his psychotherapy had

1 been subjected to rigorous scientific testing; that it cured all  
2 psychosomatic ills and raised IQs a point per hour of therapy (I  
3 had by this time had well over a thousand hours); that he had  
4 been remunerated for his labors less than staff members were paid  
5 (in my case between \$4.30 and \$17.20 per week throughout my 50  
6 years); and that he and his organization were ethical and well-  
7 intentioned. When it became clear to me that I was not going to  
8 be able to get the organization or Hubbard to admit to the lies  
9 and take a more honest path I left, along with my then wife  
10 Jocelyn.

11 17. Following my departure the organization published a  
12 "Declaration" dated February 18, 1982 labelling me a "Suppressive  
13 Person ("SP")." An SP is considered in Scientology completely  
14 psychotic and destructive, one of the two and a half percent  
15 truly evil people on the planet. SPs are viewed as enemies of  
16 Scientology and mankind and are targets for the organization's  
17 "Fair Game Policy," which states specifically that they may be  
18 lied to, cheated, sued and destroyed without discipline of the  
19 Scientologist committing such acts. The "SP Declare" on me also  
20 accused me of "spreading destructive rumors about senior  
21 Scientologists." I knew in early 1982 that I was the target of  
22 Guardian's Office intelligence operations because certain friends  
23 were contacted and interrogated about me by known GO intelligence  
24 personnel. In April, 1982 the organization also illegally  
25 appropriated a set of photographs I had entrusted with an  
26 associate, Virgil Wilhite, and when I demanded their return told  
27 me to "get a lawyer."

28 18. A few days later I met with Boston, Massachusetts  
attorney Michael Flynn, who agreed to defend me against the

1 organization, which on April 22, 1982 published a second SP  
 2 declare accusing me of eighteen "crimes, high crimes and  
 3 suppressive acts," including, inter alia, promulgating false  
 4 information about Hubbard and the organization. In the late  
 5 spring and summer of 1982 I obtained from Omar Garrison with his  
 6 permission some of the documents I had delivered to him while in  
 7 the organization which I considered I would need to defend myself  
 8 against the organization's charges in the SP declares and  
 9 whatever actions its leaders would bring against me in the non-  
 10 scientology courts. I sent these to Mr. Flynn, who was at that  
 11 time, and for the next four and a half years, the most effective,  
 12 prominent and attacked attorney combating Scientology, and to  
 13 Contos and Bunch, a California law firm, which by then had agreed  
 14 to be local counsel for me against the organization. Mr. Flynn  
 15 represented approximately twenty individuals with damage claims,  
 16 and was in communication with hundreds of people involved in  
 17 opposition to or knowledgeable about Scientology. The  
 18 organization filed the Armstrong I suit against me on August 2,  
 19 1982; and the Hubbard biography documents that I had sent to my  
 20 lawyers were ordered by the Court to be deposited with the Clerk  
 21 where they stayed until trial in the spring of 1984.

22 19. In August and September 1982 the organization employed a  
 23 number of private investigators to spy on and harass my wife and  
 24 me. During that period one of these investigators assaulted me  
 25 bodily, and another struck my body with a car, and attempted to  
 26 involve me in a freeway accident by getting in front of my car  
 27 and slamming on his brakes and pulling alongside my car and  
 28 swerving into my lane. The organization also attempted to get  
 the Los Angeles Police Department to bring criminal charges



1 against me in connection with the Hubbard documents which had  
2 become the subject of the civil litigation in LA Superior Court.

3 20. I filed a cross-complaint for fraud and fair game in  
4 1982 against various Scientology corporations which was severed  
5 from the underlying document case and was never tried because it  
6 "settled" in December 1986. The underlying document case was  
7 tried without a jury by Judge Paul G. Breckenridge, Jr., who  
8 rendered a decision on June 20, 1984, a true and correct copy of  
9 which is attached hereto as Exhibit D. This document, known  
10 around the world as the "Breckenridge decision," rebukes  
11 Scientology's fair game doctrine and other abuses. It was  
12 affirmed on appeal, Scientology v. Armstrong (1991), 232  
13 Cal.App.3rd 1060, 283 Cal.Rptr. 917. Judge Breckenridge states:

14 "In addition to violating and abusing its own members  
15 civil rights, the organization over the years with its  
16 "Fair Game" doctrine has harassed and abused those  
17 persons not in the [organization] whom it perceives as  
18 enemies. The organization clearly is schizophrenic and  
19 paranoid, and this bizarre combination seems to be a  
20 reflection of its founder LRH. The evidence portrays a  
21 man who has been virtually a pathological liar when it  
22 comes to his history, background and achievements. The  
23 writings and documents in evidence additionally reflect  
24 his egoism, greed, avarice, lust for power, and  
25 vindictiveness and aggressiveness against persons  
26 perceived by him to be disloyal or hostile." (Ex.D,  
27 8:18-9:4).

28 21. Between the 1984 Breckenridge decision and December,  
1986 settlement, the organization's campaign against me included

1 at least these acts: attempted entrapment; illegal videotaping;  
 2 breaking into my car and theft of personal writings and art;  
 3 filing false criminal charges against me with the Los Angeles  
 4 District Attorney; filing false criminal charges against me with  
 5 the Boston office of the FBI; filing false declarations to bring  
 6 contempt of court proceedings against me on three occasions;  
 7 obtaining perjured affidavits from English private investigators,  
 8 who had harassed me in London in 1984, which falsely accused me  
 9 of distributing "sealed" documents; international dissemination  
 10 of Scientology publications falsely accusing me of crimes,  
 11 including crimes against humanity; culling and disseminating  
 12 information from my supposedly confidential "auditing"  
 13 (psychotherapy) file. I know that the attempted entrapment,  
 14 illegal videotaping, and filing false charges with the LA DA all  
 15 involved Eugene Ingram, who had been thrown out of the Los  
 16 Angeles Police Department for allegedly pandering and taking  
 17 payoffs from a drug dealer. In the fall of 1984 Mr. Ingram  
 18 called me and threatened to "put a bullet between [my] eyes."

19 .22. The circumstances leading up to and at the time of my  
 20 signing of the December, 1986 "settlement agreement" make  
 21 understandable why I would sign such a bizarre document. I had  
 22 prevailed overwhelmingly in the defense side of Armstrong I. My  
 23 cross-complaint against Scientology was set to go to trial in  
 24 early 1987. Lawrence Wollersheim had in July, 1986, obtained a  
 25 twenty-five million dollar jury verdict against Scientology, also  
 26 in LA Superior Court. By December, 1986 I had weathered five  
 27 years of fair game. Michael Flynn, my attorney and employer, who  
 28 had represented me throughout Armstrong I, had been Scientology's  
 fair game target for seven years. The organization had sued him

1 and/or his office more than a dozen times in various  
2 jurisdictions. The organization had "black PRed" him around the  
3 world; infiltrated his office; stolen documents; contacted and  
4 paid known criminals for statements falsely accusing him of  
5 crimes (for a glimpse, see, e.g., U.S. v. Kattar, 840 F.2d. 118);  
6 paid some of his former clients to execute false sworn statements  
7 attacking him; framed him with an attempt to cash a forged check  
8 on one of L. Ron Hubbard's bank accounts; and attempted to bring  
9 false criminal charges against him. He expressed in many ways an  
10 abiding concern that his family was at physical risk. Eugene  
11 Ingram was involved in and largely responsible, as Scientology's  
12 paid agent, for framing Mr. Flynn and attempting to have him  
13 charged criminally. Mr. Flynn several times made the statement  
14 to me, and publicly to hundreds of others, that he believed  
15 Scientology had attempted to have him killed by tampering with  
16 his private plane. He filed his own lawsuits against Scientology  
17 and Mr. Hubbard in response to the fair game attacks.

18 23. During the years the organization carried out its war  
19 on Mr. Flynn, organization lawyers had communicated and met with  
20 him on a number of occasions regarding settling his and his  
21 clients' cases. I knew that such meetings occurred because I was  
22 one of those clients from early 1982 and I had worked for Mr.  
23 Flynn from September, 1985 through 1986 in his office in Boston.  
24 Around the beginning of December, 1986 Mr. Flynn called from Los  
25 Angeles, where he was meeting with Scientology's lawyers to say  
26 that a "global settlement" had been reached. He already had my  
27 agreement on a monetary figure for which I would settle my  
28 lawsuit. He was to be paid a lump sum which he was to divide  
between his clients and himself.

1           24. I have in the past waived my attorney-client privilege  
2 as to my conversations with Mr. Flynn at the time of and  
3 concerning the "global settlement," and I again waive that  
4 privilege as to those conversations. I have stated these facts  
5 in several declarations since 1990. On December 5, 1986 I was  
6 flown to Los Angeles, as were several other of Mr. Flynn's  
7 clients from various places, to participate in this settlement.  
8 Shortly after my arrival in LA I was shown a copy of the  
9 "settlement agreement" (identical in all important respects to  
10 Exhibit C hereto) and some other documents, which Mr. Flynn  
11 indicated I was to sign.

12           25. Upon reading the settlement agreement draft I was  
13 shocked and heartsick. I told Mr. Flynn that the condition of  
14 "strict confidentiality and silence with respect to [my]  
15 experiences with the [organization]" (Ex. C, ¶7D), since it  
16 involved over seventeen years of my life, was impossible. I told  
17 him that the "liquidated damages" clause (Ex. C, ¶7D) was  
18 outrageous; that pursuant to the settlement agreement I would  
19 have to pay \$50,000.00 if I told a doctor or psychologist about  
20 my experiences from those years; or if I put on a resume what  
21 positions I had held during my organization years. I said that  
22 if I went on a date and the woman of my dreams asked me where had  
23 I been all her life, I'd have to pay Scientology \$50,000 if I  
24 dared to tell her. I told Mr. Flynn that the requirements of  
25 non-amenability to service of process (Ex. C, ¶7H) and non-  
26 cooperation with persons or organizations adverse to the  
27 organization (Ex. C, ¶¶7G, 10) were obstructive of justice. I  
28 told him that I felt that agreeing to leave the organization's  
appeal of the decision in Armstrong I and not respond to any

1 subsequent appeals (Ex. C, ¶4B) was unfair to the courts and all  
 2 the people who had been helped by the decision. I told Mr. Flynn  
 3 that an affidavit the organization was demanding that I sign  
 4 along with the settlement agreement was false. The document  
 5 stated, inter alia, that my disagreements with the organization  
 6 had been with prior management and not with the then current  
 7 leadership. In fact there had been no management change and I  
 8 had the same disagreements with the organization's "fair game"  
 9 policies and actions, which had continued without change up to  
 10 the time of the settlement. I told Mr. Flynn that I was being  
 11 asked to betray everything and everyone I had fought for against  
 12 organization injustice. It was as if no more restrictive,  
 13 insulting, mean spirited, impossible and immoral an "agreement"  
 14 could have possibly been "negotiated" on my behalf.

15       26. In answer to my objections to the settlement agreement  
 16 Mr. Flynn said that the silence and liquidated damages clauses,  
 17 and anything which called for obstruction of justice were "not  
 18 worth the paper they're printed on." He said the same thing a  
 19 number of times and a number of ways; e.g., that "you cannot  
 20 contract away your Constitutional rights;" that "the conditions  
 21 are unenforceable." He said that he had advised the organization  
 22 attorneys that those conditions in the settlement agreement were  
 23 not worth the paper they were printed on, but that the  
 24 organization, nevertheless, insisted on their inclusion in the  
 25 settlement agreement and would not agree to any changes. He  
 26 pointed out the clauses concerning my release of all claims  
 27 against the organization to date and its release of all claims  
 28 against me to date (Ex. C, ¶¶1,4,5,6 and 8) and said that they  
 were the essential elements of the settlement and "are what

1 they're paying you for."

2 27. Mr. Flynn also said that everyone was sick of the  
3 litigation and wanted to get on with their lives. He said that  
4 he was sick of the litigation, the threats to him and his family  
5 and wanted out. He said that as a part of the settlement he and  
6 all co-counsels had agreed to not become involved in  
7 organization-related litigation in the future. He expressed a  
8 deep concern that the courts in this country cannot deal with the  
9 organization and its lawyers and their contemptuous abuse of the  
10 justice system. He said that if I didn't sign the documents all  
11 I had to look forward to was more years of harassment and misery.  
12 One of Mr. Flynn's other clients, who was in the room with us  
13 during this discussion, yelled at me, accusing me of killing the  
14 settlement for everyone, and that everyone else had signed or  
15 would sign, and everyone else wanted the settlement. Mr. Flynn  
16 said that the organization would only settle with everyone  
17 together; otherwise there would be no settlement. He did agree  
18 to ask the organization to include a clause in my settlement  
19 agreement allowing me to keep my creative works relating to L.  
20 Ron Hubbard or the organization (Ex. C, ¶7L).

21 28. Mr. Flynn said that a major reason for the settlement's  
22 "global" form was to give the organization the opportunity to  
23 change its combative attitude and behavior by removing the threat  
24 he and his clients represented to it. He stated that the  
25 organization had promised that if we settled they would cease all  
26 fair game. He argued that the organization's willingness to pay  
27 us substantial sums of money, after its agents and attorneys had  
28 sworn for years to pay us "not one thin dime," was evidence of a  
philosophic shift within the organization. I argued that the

1 settlement agreement evidenced the unchanged philosophy of fair  
2 game, and that if the organization did not use the opportunity to  
3 transform its antisocial nature and actions toward its members,  
4 critics and society I would, a few years hence, because of my  
5 knowledge of organization fraud and fair game, be again embroiled  
6 in its litigation and targeted for extralegal attacks.

7 29. Regarding the affidavit the organization required that  
8 I sign, Mr. Flynn said that the "disagreement with prior  
9 management" could be rationalized as being a disagreement with L.  
10 Ron Hubbard, and since Mr. Hubbard had died in January 1986 it  
11 could be said that I no longer had that disagreement. Mr. Flynn  
12 said that the organization's attorneys had promised that the  
13 affidavit, which he said all the settling litigants were signing,  
14 would only be used by the organization if I began attacking it  
15 after the settlement, and since I had no intention of attacking  
16 the organization the affidavit would never see the light of day.

17 30. During my meeting with Mr. Flynn in Los Angeles I found  
18 myself facing a dilemma which I reasoned through in this way. If  
19 I refused to sign the settlement agreement and affidavit, all the  
20 other settling litigants, many of whom had been flown to Los  
21 Angeles in anticipation of a settlement, would be extremely  
22 disappointed and would continue to be subjected to organization  
23 harassment for an unknown period of time. I had been positioned  
24 in the settlement drama as a deal-breaker and would undoubtedly  
25 lose the support of some if not all of these litigants, several  
26 of whom were key witnesses in my case against the organization.  
27 Although I was certain that Mr. Flynn and my other lawyers would  
28 not refuse to represent me if I did not sign the documents I also  
knew that they all would view me as a deal-breaker and they would

1 be as disappointed as the other litigants in not ending the  
2 litigation they desperately wanted out of. The prospect of  
3 continuing the litigation with unhappy and unwilling attorneys on  
4 my side, even though my cross-complaint was set for trial within  
5 three months, was distressing. On the other hand, if I signed  
6 the documents, all my co-litigants, some of whom I knew to be in  
7 financial trouble, would be happy, the stress they felt would be  
8 reduced and they could get on with their lives. Mr. Flynn and  
9 the other lawyers would be happy and the threat to them and their  
10 families would be removed. The organization would have the  
11 opportunity they said they desired to clean up their act and  
12 start anew. I would have the opportunity to get on with the next  
13 phase of my life and the financial wherewithal to do so. I was  
14 also not unhappy to at that time not have to testify in all the  
15 litigation nor to respond to the media's frequent questions. If  
16 the organization continued its fair game practices toward me I  
17 sensed that I might be left to defend myself and I accepted that  
18 fact. So, armed with Mr. Flynn's advice that the conditions I  
19 found so offensive in the settlement agreement were not worth the  
20 paper they were printed on, and the knowledge that the  
21 organization's attorneys were also aware of that legal opinion, I  
22 put on a happy face and the following day went through the  
23 charade of a videotaped signing. I believe I was guided by God  
24 in making the legally ill-advised decision to sign Scientology's  
25 documents. This secret scheme to corrupt Justice is now seen as  
26 the evil it is in large part because of Scientology's insistence  
27 that Justice's corruption was its right.

28 31. It was my understanding and intention at the time of  
the settlement that I would honor in a sensible way the silence



1 and confidentiality conditions of the settlement agreement. I  
 2 would not contact the media about Scientology, publish my  
 3 Scientology history or file statements in court concerning  
 4 Scientology. It was also my understanding that the organization  
 5 had agreed to do likewise; i.e., it would not contact the media  
 6 about me, publish my Scientology history or file statements in  
 7 court concerning me. Although the "settlement agreement" did not  
 8 specifically prohibit Scientology from communicating about me, it  
 9 implied a reciprocity, and I knew that if it did communicate I  
 10 would be free to respond. That Scientology would be able to say  
 11 whatever it wanted about me to the media, in publications, to  
 12 governments, and in judicial or administrative proceedings, and  
 13 could judicially prosecute me if I responded was, at that time  
 14 and in this country, inconceivable to me.

15 32. A few weeks after the "settlement" I was advised by a  
 16 Los Angeles Times reporter that Scientology agents had delivered  
 17 a stack of documents about me to the paper. Although shocked by  
 18 this action, which was out of the blue because I had said or done  
 19 nothing about Scientology after the "settlement," I did not  
 20 respond. Following the settlement, and before I responded in any  
 21 public way, Scientology subjected me to considerable fair game,  
 22 which included filing affidavits falsely accusing me of crimes  
 23 and of being an "agent provocateur of the United States  
 24 government;" publishing distorted versions of my Scientology  
 25 history; using documents which the organization had requested be  
 26 sealed in Armstrong I to attack me; distributing dead agent packs  
 27 of documents concerning me to the media; distributing copies of  
 28 edited versions of the illegal videotapes of me to the media  
 internationally; blackmail; and threatening me six times with

1 being sued if I responded to any attacks. Scientology also  
 2 continued to subject other people to fair game, in violation of  
 3 its promise through Mr. Flynn that it was ceasing all fair game  
 4 activities. The person who in the fall of 1987 delivered  
 5 documents concerning me and a doctored and edited copy of the  
 6 1984 illegal videotape of me to the London Sunday Times was  
 7 Eugene Ingram.

8       33. For three years I attempted to live by the spirit of  
 9 settlement, and, although threatened and saddened by  
 10 Scientology's continuing attacks, did not respond, but had tried  
 11 to live my life away from Scientology's war. I wrote, drew, ran,  
 12 had remarkable ideas, and formed The Gerald Armstrong Corporation  
 13 ("TGAC") with wonderful hopes and great expectations. In late  
 14 1989, however, after a series of threats from Scientology lawyer  
 15 Lawrence Heller, following my being served with a deposition  
 16 subpoena in the case of Bent Corydon v. Scientology, Los Angeles  
 17 Superior Court No. C 694401, I concluded that I had to do  
 18 something to defend myself. I saw that I could not avoid a  
 19 confrontation with the organization, and that there was a need to  
 20 correct what I knew was as an obstruction of justice, that the  
 21 settlement contracts and Scientology's enforcement thereof were  
 22 working in the legal arena. Mr. Heller threatened that if I  
 23 testified about my knowledge of Hubbard and Scientology, even  
 24 though I had been subpoenaed to testify, Scientology would  
 25 consider such testimony a breach of the "contract" and would sue  
 26 me.

27       34. I researched my rights and responsibilities and  
 28 concluded that I had a duty to oppose known obstruction of  
 justice. I also learned at that time that Scientology had been

1 able to maintain an appeal from the Breckenridge decision in the  
2 California Court of Appeal and had just then filed its opening  
3 brief. I therefore petitioned that Court to be able to file a  
4 response. My filings in the Court of Appeal in 1990 included a  
5 declaration detailing and documenting Scientology's post-  
6 settlement torts and violations, and a declaration detailing the  
7 circumstances at the time of the 1986 settlement. The Court of  
8 Appeal granted my petition, I filed a respondent's brief, and in  
9 July, 1991 the Court affirmed the Breckenridge decision.  
10 Following the California Supreme Court's denial of review,  
11 Scientology filed a motion in the Court of Appeal to seal the  
12 record on appeal. I opposed the motion, and the Court of Appeal  
13 denied it. The complete trial transcript, which contains ten  
14 days of my testimony about my Scientology experiences up to 1984,  
15 is a public document.

16 35. In August, 1990 I was greatly moved by the buildup  
17 toward war in the Middle East, and the general condition of man.  
18 I prayed to God for guidance as to what I should do, and received  
19 the word: "Keep nothing. Give what you have to the poor. Take  
20 only what you need." I gave my possessions to those whom I  
21 believed had a need for them as put in my heart by God, forgave  
22 debts owed to me, and determined to go where God would have me go  
23 and do what God would have me do; which I believed was to help  
24 where my help was asked for. Although these decisions had  
25 nothing to do with Scientology, the organization has made them  
26 relevant in the legal arena by suing me and three of my friends,  
27 falsely charging that my giving away my things were "fraudulent  
28 conveyances" to make myself "judgment proof" so I could breach  
its "settlement agreement." For the next year after my

1 renunciation God had me, among other things, offer myself to  
2 resolve the Middle East conflict, do some house painting and  
3 carpentry work, deal with the pending appeal, attempt to correct  
4 Scientology's subversion of the legal system, agree to help the  
5 victims of Scientology who asked for my help, and offer myself to  
6 resolve the Scientology conflict in which I had been drawn by its  
7 attacks.

8       36. Scientology's fair game attacks on me following my  
9 responding in its appeal of the Breckenridge decision include,  
10 but are not limited to, secretly videotaping me; suing me and  
11 TGAC (pronounced "Teegeack") four times (Marin Superior Court  
12 Case No. 152229, transferred to Los Angeles Superior Court and  
13 given No. BC 052395 ("Armstrong II"), Los Angeles Superior Court  
14 Case No. BC 084642 ("Armstrong III"), Marin Superior Court Case  
15 No. 157680 ("Armstrong IV," the "fraudulent conveyance" case),  
16 United States Bankruptcy Court for the Northern District of  
17 California Case No. 95-10911 aj, Adv. No. 95-1164 aj ("Armstrong  
18 V"); Armstrong II, III and IV were consolidated into Marin SC No.  
19 157680); attempting to have me jailed for contempt of court based  
20 on Scientology's misrepresentation of my actions and its own  
21 manufactured charges; filing declarations in various courts  
22 containing false charges, and using the "settlement agreement" to  
23 prevent me from responding or punish me for responding; using  
24 Eugene Ingram to spread the false rumor in 1992 that I have AIDS;  
25 forcing me into bankruptcy; attempting to seize my artwork, and  
26 personal and intellectual property through judicial means based  
27 on false charges; disseminating to the media packs of black PR  
28 which provide Scientology's false version of my experiences,  
including the lies that I testified falsely at trial in 1984;

1 that I have "adopted a degraded lifestyle;" that I am connected  
2 to a referral agency for kidnapping; that my defense in the 1984  
3 trial was a sham and a fraud; that the Los Angeles Police  
4 Department authorized the illegal 1984 videotaping; that I wanted  
5 to plant fabricated documents in Scientology files and tell the  
6 IRS to conduct a raid; that I wanted to plunder Scientology for  
7 my own financial gain; that I never intended to stick to the  
8 terms of the "settlement contract;" that my motives are money and  
9 power; that I was incompetent as a researcher; that I perjured  
10 myself about surrendering documents to the court; that I wanted  
11 to orchestrate a coup in which members of the US government would  
12 wrest control of Scientology; publishing black propaganda about  
13 me without stating its source which provide Scientology's false  
14 version of my experiences including the lies that I was formerly  
15 a heavy drug pusher; that a Marin Independent Journal photo  
16 showed me in the nude; that I am psychotic and live in a delusory  
17 world; charging falsely in a letter to the press that I had  
18 distinguished myself by posing naked in a newspaper; attempting  
19 to cause me trouble with the IRS by writing black propaganda  
20 letters about me; distributing packs of black propaganda which  
21 attacked my lawyer Ford Greene, and Judge Breckenridge.

22 37. I worked with attorney Greene from August, 1991 through  
23 December, 1995, except for about three weeks in April, 1995.  
24 Throughout that period Scientology attempted overtly through  
25 misuse of the courts and covertly through its Office of Special  
26 Affairs ("OSA"), the organization's intelligence arm, along with  
27 other operatives, to prevent me from working with Mr. Greene and  
28 from defending myself. Scientology employed a covert operative,  
Garry Scarff, whom it had infiltrated into Mr. Greene's office,

1 to develop a black PR "attack line" that Mr. Greene and I were  
2 involved in a homosexual relationship. Scientology has subjected  
3 Mr. Greene to years of fair game, which included having Scarff,  
4 while in his office, steal his office records and cause trouble;  
5 concocting a plot with Scarff to have him killed; having Scarff  
6 execute false declarations about Mr. Greene; filing five spurious  
7 bar complaints against him; operating at least two of his  
8 clients, Richard and Vicki Aznaran, as Scientology's own agents,  
9 and paying them to execute false declarations against Mr. Greene  
10 and breach their contract with him. Scientology was able to  
11 achieve one of its desired goals with the Thomas order, Ex. A,  
12 which made my working with Mr. Greene threatening and virtually  
13 impossible. I have been denied two other good jobs in the past  
14 year because of my relationship to the Scientology organization  
15 and the threat that goes with it. I have within the past week  
16 learned from Mr. Greene that his office was recently burglarized  
17 and my office file stolen along with other important legal files.  
18 Eugene Ingram has been involved in the attacks on Mr. Greene, has  
19 harassed his friends, and sought by "legal" and illegal means to  
20 prevent him from effectively litigating against Scientology.

21 38. Throughout its post-settlement judicial attacks on me  
22 Scientology has proclaimed that by the "settlement agreement" it  
23 sought peace. Scientology also interprets the "agreement" to  
24 mean that it can say whatever it wants about me, no matter how  
25 false, obnoxious or evil and that I may not respond. The  
26 organization has indeed said whatever it wanted to about me,  
27 falsely accusing me of crimes and attacking my character and  
28 credibility. Scientology claims that if I do respond in any way  
I am liable for \$50,000 in liquidated damages, and may be jailed.

1 Scientology, under David Miscavige, has filed bogus lawsuits and  
 2 been able to get Marin Superior Court Judge Gary W. Thomas for  
 3 bogus reasons to give them an unreasonable interpretation of the  
 4 agreement and an unreasonable judgment. Judge Thomas has stated  
 5 that essentially Scientology may say whatever it wants and I may  
 6 not respond. Because of, inter alia, what that kind of decision  
 7 and reasoning portends for Lady Justice, and because the silence  
 8 of bells too cannot be unring, I have not succumbed quietly.

9 39. Through the decade of Scientology's legal attacks on me  
 10 after the December, 1986 "settlement," it has intimidated Mr.  
 11 Flynn into not coming forward to assist me. He was not only my  
 12 attorney, he was my good friend. He now says that the contract  
 13 is evil, that Scientology is evil and he wants to help me. He  
 14 also says that he signed a "contract" with Scientology, which I  
 15 was unaware of at the time of the "settlement," which  
 16 specifically prevents him from assisting me. While acknowledging  
 17 that this "contract" is illegal, he says that he knows that his  
 18 life will be ruined even more than it has been by Scientology if  
 19 he comes forward to help.

20 40. I believe that Scientology's interpretation of the  
 21 "settlement agreement," to which Judge Thomas has added the  
 22 authority of the California courts, is unconscionable and  
 23 unamerican. Because there are dozens of these "contracts" among  
 24 first hand witnesses to Scientology's criminal and tortious  
 25 practices, and because of Scientology's fair game use of the  
 26 "settlement agreement" against me, I believe that a terrible  
 27 injustice is being abetted by our courts, which should be opposed  
 28 with all strength. In my opinion, that one party to a settlement  
 contract, which is supposed to be essentially a peace accord, is

1 able to continue to shoot at the other party, who is wounded, has  
2 been disarmed and is not being allowed to defend himself in any  
3 way, is not peace at all but a demonic hunting trip. The  
4 "settlement agreement," and now the judgment enforcing it, are in  
5 this "civilized society," licenses for hunting humans.

6 41. I was paid in settlement by Scientology for its years  
7 of psychological cruelty, threat and stalking; i.e., fair game.  
8 Scientology's leaders did not learn their lesson but continued  
9 the cruelty, threat and stalking of a person already  
10 psychologically hurt and altered beyond belief by the actions  
11 they promised to cease. I performed my part of the 1986  
12 settlement. I dismissed my cross-complaint, released to  
13 Scientology all evidence from my case, removed myself from  
14 controversy, and gave Scientology the time and freedom it said it  
15 wanted to cease fair game. Scientology's leaders, knowing that  
16 they had compromised and removed my attorney, failed to perform  
17 their part of the settlement, but continued fair game against me  
18 after they had psychologically wounded me and, they thought,  
19 rendered me defenseless.

20 42. In 1991 I became a Christian. I had, in the years  
21 after leaving Scientology, come to recognize that I was guided by  
22 God, and I sought to be guided in all circumstances in which I  
23 found myself. Once its adherents become sufficiently  
24 brainwashed, Scientology does not permit them to believe in God,  
25 labels and treats anyone who believes in God as "psychotic," and  
26 enforces the satanic idea that God is an "implant," a false idea  
27 installed by pain and electronics in man's mind to enslave him.  
28 Scientology also teaches that Jesus Christ, the whole Gospel  
story, and Heaven are implants designed to enslave man, and that



1 only Scientology has the way to free mankind from this  
2 enslavement.

3 43. Scientology promotes to Christians and non-Christians  
4 that it is compatible with Christianity, that it holds the Judeo-  
5 Christian Bible as a holy work, and that it has no argument with  
6 the belief that Jesus Christ was the Savior of Mankind and Son of  
7 God. Scientology has distributed promotional materials  
8 containing these representations to every member of Congress, to  
9 libraries, to the media, to educators, to judges, and to people  
10 of influence across this country. Scientology withholds from the  
11 public its actual enforced beliefs about God, Christ, Heaven and  
12 the Bible. I believe this is religious fraud, and dangerous to  
13 everyone lured into Scientology, those already held by its  
14 brainwashing system, and society itself. I also believe that  
15 Scientology's "creed" is a religious fraud because Scientology,  
16 under Hubbard's and Miscavige's control, has never acted in  
17 accord with it. Scientology systematically abuses its members'  
18 civil rights, and seeks to destroy the same civil rights of its  
19 non-Scientologist "enemies."

20 44. Scientology promotes actively and aggressively and uses  
21 the public postal system, public forums and public media for its  
22 promotions. Scientology is a public figure. It uses its  
23 resources to affect legislation and to violate people's civil  
24 rights. Its efforts to judicially and extra-judicially silence  
25 and destroy me are clear examples. I believe that this is not a  
26 legal purpose and not a purpose for which tax-exempt funds can  
27 legally be used. I see that Scientology tricks and extorts huge  
28 sums of money from people it lures into its system for something  
of no value. This money will be used to pay lawyers to attack

1 the same people and those who seek to bring to light or curtail  
2 the abuse. I have proof that Scientology obtained its tax-exempt  
3 status in 1993 by illegal means. I believe that the Internal  
4 Revenue Service and the United States government agencies  
5 responsible were derelict in their duties in granting such tax  
6 exempt status.

7 45. The documents attached hereto as Exhibits E, F and G  
8 show Scientology's use of the "settlement agreement" to skew (and  
9 skewer) justice. Exhibit E is a true and correct copy of a  
10 declaration executed February 8, 1994 by organization leader  
11 David Miscavige and filed in the case of Scientology v. Fishman  
12 and Geertz, US District Court for the Central District of  
13 California, Case No. CV 91-6426 HLH(Tx). Mr. Miscavige devotes a  
14 paragraph to attacking and lying about me, although I had never  
15 up to that time filed any statement in the Fishman case. (Ex. E,  
16 31:22-32:14) In response to this attack and to provide the truth  
17 underlying Mr. Miscavige's false charges I filed in Fishman a  
18 declaration executed February 22, 1994, a true and correct copy  
19 of which, along with true and correct copies of the exhibits  
20 thereto, is attached hereto as Exhibit F. Shortly thereafter  
21 Scientology moved to seal certain documents in the Fishman court  
22 file, one of which was my February 22 declaration. In response  
23 and in opposition to this motion I wrote and filed a declaration  
24 executed April 21, 1994, a true and correct copy of which,  
25 without the exhibits thereto, is attached hereto as Exhibit G.  
26 Scientology sued me for these declarations, charging that they  
27 were "breaches" of its "settlement agreement," and claiming  
28 \$50,000 liquidated damages for each. My "voluntary assistance"  
to defendants Fishman and Geertz by way of these declarations is

1 referred to in the Thomas order at Ex. A, 4:8-11. Correcting of  
 2 the Miscavige lies and preventing my own words from being sealed  
 3 was impossible "involuntarily" because discovery was already  
 4 closed in the Fishman case. Even if discovery was still open  
 5 there was not sufficient time to go through the ritual of being  
 6 served, opposing Scientology's motions to prevent the deposition  
 7 from going forward, combatting Scientology's obstructionist  
 8 lawyers in deposition, and waiting for the deposition transcript.  
 9 In my opinion, Mr. Ward is in a similar position: even if he  
 10 could afford to pay a court reporter, there is not time enough to  
 11 obtain the needed testimony before it is needed. For this reason  
 12 alone I believe non-assistance "contracts" such as those  
 13 Scientology uses must be ruled illegal.

14 46. That Scientology will move to block the depositions of  
 15 people who signed its "settlement agreements" is shown by  
 16 Scientology's "motion ... to delay or prevent the taking of  
 17 certain third party depositions," a true and correct copy of  
 18 which is attached hereto as Exhibit H. Scientology filed this  
 19 motion in the Corydon litigation after I was served in the case  
 20 with a deposition subpoena. The motion is based on a declaration  
 21 by Scientology attorney Lawrence Heller executed November 1,  
 22 1989, a true and correct copy of which is also attached hereto as  
 23 part of Exhibit H. In this declaration Mr. Heller states that  
 24 "The non-disclosure obligations were a key part of the settlement  
 25 agreements insisted upon by all parties involved." (Ex. H, 9:5-  
 26 7) Mr. Heller also states in the memorandum of points and  
 27 authorities: "One of the key ingredients to completing these  
 28 settlements, insisted upon by all parties involved was strict  
 confidentiality respecting: ... any knowledge possessed by the

1 Scientology entities concerning those staff members of  
2 parishioners." (Ex. H, 4:9-14) Mr. Heller was of course <sup>^</sup> lying,  
3 because Scientology had by then disseminated mountains of post-  
4 settlement black PR about me possessed by the organization. He  
5 was also lying about the reciprocity of the non-disclosure  
6 conditions because Scientology enforced its "settlement  
7 agreement" with me on that basis of its being able to say  
8 whatever it wanted about me but I must remain silent. Judge  
9 Thomas's refusal to deal with or even acknowledge attorney  
10 Heller's lies and Scientology's inconsistent statements  
11 concerning reciprocity, even though these were carefully  
12 pointed out to him in my papers filed in the cases before him, I  
13 believe is an indicator of Scientology's corruption of the  
14 judicial process.

15 47. That Scientology will also subvert our courts' power to  
16 prosecute "contempt" is shown in its "application for order to  
17 show cause why Gerald Armstrong should not be held in contempt,"  
18 filed December 31, 1992 in Armstrong II. A true and correct copy  
19 of the application and Scientology's supporting documents is  
20 attached hereto as Exhibit I. Scientology filed another  
21 application for an OSC re contempt shortly after this one,  
22 charging that my providing a declaration to Lawrence Wollersheim  
23 in the case of Scientology v. Wollersheim, Los Angeles Superior  
24 Court Case No. BC 074815, was a violation of its "injunction."  
25 Scientology's charges were either misrepresentations of my  
26 actions or completely manufactured. Ultimately Judge Diane Wayne  
27 discharged all of Scientology's contempt charges in a ruling  
28 dated July 28, 1994, a true and correct copy of which is attached  
hereto as Exhibit J. I do not believe I will receive equally



1 fair treatment from Judge Thomas, and I am at great risk of  
 2 Scientology being successful before him in its pressing to have  
 3 me jailed. I wrote a declaration in opposition to Scientology's  
 4 contempt charges, and the organization deemed that declaration  
 5 itself a violation of the "settlement agreement." I do not have  
 6 immediate access to that declaration, and many of my legal  
 7 papers, but I will be able to provide it and any other documents  
 8 in the near future if requested. The documents I am attaching as  
 9 exhibits to this declaration are a small fraction of the  
 10 materials I have which show Scientology's malevolent side and its  
 11 dedication to and employment of fair game.

12 48. Attached hereto as Exhibit K is a true and correct copy  
 13 of an article from the Boston Globe dated November 24, 1979  
 14 concerning Scientology's fair gaming of writer Paulette Cooper,  
 15 and mentioning other organization intelligence ops.

16 49. Attached hereto as Exhibit L is a true and correct copy  
 17 of a series of articles from the Oregonian dated from March 28,  
 18 1985 through May 24, 1985 covering the trial of Julie  
 19 Christofferson against Scientology in Portland, Oregon. The  
 20 April 5, 1985 article contains the statement concerning the  
 21 illegally obtained videotapes of me: "'I think they are  
 22 devastating, devastating against the church,' Multnomah Circuit  
 23 Judge Donald H. Londer said." The May 18, 1985 article announces  
 24 the jury's award of thirty-nine million dollars to Ms.  
 25 Christofferson.

26 50. Attached hereto as Exhibit M is a true and correct copy  
 27 of an article from the Los Angeles Times announcing Judge  
 28 Londer's declaring a mistrial, a month after the jury rendered  
 its verdict.

1           51. Attached hereto as Exhibit N is a true and correct copy  
2 of a series of articles from the Toronto Star and the Toronto Sun  
3 dated from March 12, 1992 through April 30, 1992 covering a \$1.6  
4 million damage award to Crown Prosector Casey Hill whom  
5 Scientology and its lawyers libeled, and the trial of Scientology  
6 in Toronto, Canada for spying and theft.

7           52. Attached hereto as Exhibit O is a true and correct copy  
8 of an article from the Denver Post dated November 23, 1996  
9 concerning the conviction of the head of Scientology in Lyon,  
10 France for subjecting a man to "psychological torture" resulting  
11 in his suicide.

12           53. Attached hereto as Exhibit P is a true and correct copy  
13 of an article from the San Francisco Chronicle dated December 26,  
14 1996 concerning Germany's efforts to control Scientology's abuses  
15 and Scientology's attack on Germany.

16           54. These articles, which are but a small fraction of the  
17 press around the world critical of Scientology, also support the  
18 invalidation of the Scientology's "settlement agreements" and the  
19 Thomas order. It is entirely wrong that anyone be denied  
20 participation in a public controversy of this magnitude, a public  
21 controversy concerning national sovereignty and national security  
22 decisions.

23           55. It is also wrong, and I believe constitutionally  
24 impermissible, to deny anyone freedom of religion by "contract"  
25 or court order. The Thomas order prohibits me from "discussing  
26 ... Scientology, the Church, and/or any of the Beneficiaries;"  
27 (Ex. A, 8:14-16) If such a prohibition is legal concerning  
28 Scientology, a parallel prohibition would be legal concerning,  
for example, Christianity, God, and any religious experience of

1 any kind. The idea that this country's courts can give a  
2 "church" \$50,000 in liquidated damages and send someone to jail  
3 for his discussing God or Christ or the Holy Scriptures, is of  
4 course absurd. Who but evil itself would hatch such an idea?  
5 Scientology's "settlement agreement," its efforts to enforce, and  
6 the Thomas order are no less absurd, and no less evil's idea.  
7 Suppression of critics of a religion through judicial means is a  
8 violation of the Constitution's "Establishment Clause," and the  
9 Religious Freedom Restoration Act of 1993. Michael Flynn did not  
10 have my permission to sell Scientology my freedom of religion  
11 (nor any of the other personal freedoms I possessed and enjoyed  
12 before the "settlement"), and even if I had given him such  
13 permission he could not sell it. It cannot be sold. Scientology  
14 couldn't buy it. It cannot be bought. Scientology claims it  
15 purchased my freedom of religion, in fact claims that it paid me  
16 eight hundred thousand dollars for it, but it could not have. If  
17 it paid \$800,000.00 for something it couldn't buy, receive or  
18 possess it paid way too much. In reality, and I would think  
19 happily for Scientology, it received from me the dismissal of my  
20 cross-complaint, my accumulated evidence of its fraud and  
21 criminality, and my sincere efforts to let there be peace. Thus  
22 it got a terrific deal, and its whining that I wouldn't sell what  
23 it couldn't buy is silly.

24 56. Freedom of religion without freedom to discuss religion  
25 and religious experience is impossible. Scientology insists that  
26 the world accept that it is a religion. It asserts in its "bona  
27 fides," indeed in the submissions upon which it was able to get  
28 the US Government to give it tax-empt status, that it is  
organized solely for religious purposes. The experiences of its



1 members inside and in relationship to the organization, its  
2 founder, its "scriptures," its practices and its other members  
3 must therefore be religious experiences. In my opinion, as long  
4 as Scientology maintains that it is a religion it cannot legally  
5 prohibit, by judicial means in this country's courts, anyone from  
6 discussing anything about it. In my opinion, since Scientology  
7 insists on binding its members with "non-disclosure bonds" and  
8 similar "contracts," and binding its former members or targeted  
9 "enemies" with "settlement agreements" like Exhibit C hereto, it  
10 cannot be a religion; i.e., it cannot have it both ways.

11 57. In my opinion, the exposing or dissemination of  
12 Scientology's "sacred scriptures," which is at issue in the Ward,  
13 Henson and Erlich cases, as well as in the Lerma and Factnet  
14 cases, is an analogous situation in which the same greater  
15 principle of religious freedom applies. An entity which claims  
16 to have secret writings, which people to see must pay and agree  
17 to not discuss, cannot actually be a religion, because such a  
18 policy on its face restricts or prohibits religious expression.  
19 Such an entity can be a "secret-selling company," or some such,  
20 in competition with other secret-selling companies, as long as it  
21 does not try to claim that the secrets it sells are "religious"  
22 secrets. Practically speaking, the only time this would become  
23 an issue is if an entity claiming to be a religion attempted to  
24 judicially prohibit the publication of its religious secrets or  
25 judicially punish their publishers. Obviously people have the  
26 normal secrets that normal people have, and people talk about  
27 them and keep them or not, and so forth. A real religion would  
28 have no reason to prevent the publication of its scriptures, and  
it would possess no "secret scriptures." In my opinion, whoever

1 has published Scientology's "secret scriptures" has in reality  
 2 only been engaging in religious expression. In my opinion this  
 3 kind of expression is an expected, logical response to  
 4 Scientology's efforts to corrupt the meaning of religion to  
 5 "sanctify" its antisocial and dangerous mindset and criminal  
 6 activities. It is expression which cannot legally be prohibited  
 7 or punished by judicial process.

8 58. In my observation, Mr. Ward, Mr. Wollersheim, Mr.  
 9 Henson, Mr. Erlich, Mr. Lerma and Mr. Penny (hereinafter,  
 10 "WWHELP") are in general agreement that Scientology is not a  
 11 sincere, and hence real, religion but is a criminal cult engaged  
 12 in harmful practices. In my opinion, if WWHELP are correct in  
 13 their assessment, and if they did expose or publish Scientology's  
 14 secret documents, they were and are completely justified in  
 15 having done so. It goes without saying that criminal cults, or  
 16 any criminal enterprises for that matter, are against public  
 17 policy. It is certainly conceivable that writings which direct  
 18 criminal cult members to think a certain way and perform certain  
 19 acts in order to rise within the criminal cult's hierarchy, or  
 20 become more criminal, are also against public policy. In my  
 21 opinion a reasonable person who has been presented with the facts  
 22 about Scientology that each of the alleged publishers possessed  
 23 at the time the publications were made would have believed that  
 24 the prosecution of anyone pursuant to trade secret or copyright  
 25 law for the publication of such writings is itself against public  
 26 policy. Thus Scientology's actual nature is relevant to WWHELP's  
 27 defenses. If Scientology is a religion, then WWHELP are  
 28 justified in their religious expression. In my opinion, for  
 Scientology to now "become" a religion, among the other things it

1 must do, it must cease its judicial persecution of anyone for his  
2 religious expression, even if that be criticism, publication or  
3 sworn testimony. Scientology must otherwise, in my opinion, be  
4 seen as electing to remain a criminal cult, and must in these  
5 matters have our courts' ears shut to it, in limine.

6 59. This Court stated in its order dated January 6, 1997  
7 filed in the Erllich case:

8 "The relevant inquiry is whether the documents for which  
9 trade secret protection is sought are "'generally known' to  
10 the relevant people -- the potential 'competitors' of the  
11 Church." [site] Nevertheless, defendant has not established  
12 the extent to which the specific processes and instructions  
13 contained in the works are known generally or to potential  
14 competitors.

15 "How to identify "potential competitors" is a difficult  
16 question. However, members of the newsgroup "alt.religion.  
17 scientology" might be considered as such." (Order, 21:10-14;  
18 n.17).

19 The identification of Scientology's "potential competitors" is  
20 actually not a difficult question. In accordance with a long  
21 line of US Supreme Court cases touching on religious matters, a  
22 court's attempting to answer such a question would, however, be  
23 impermissible. It is made "difficult" only because our courts do  
24 not generally, aside from rare anomalies such as "natural  
25 disasters," permit themselves to ascribe causation in human  
26 affairs to God. The actions of Scientology, calling itself a  
27 religion and prosecuting religious expression in secular courts,  
28 now make answering this question in these courts possible and  
permissible. In my opinion, Scientology's actual "competitors"

1 are those whom God guides, those through whom He works to carry  
2 out His purposes.

3 60. In the "religious realm," God's working in the lives of  
4 people, although, to those who understand it, infinitely more  
5 wonderful than any other conceivable possibility, is simply  
6 what's true, at least for someone. This nation's courts have  
7 dealt with this truth by insisting that within the cases over  
8 which they preside the truth or falsity of religious beliefs will  
9 not be questioned; in this case, whether God indeed works in  
10 people's lives, and specifically whether God's guidance resulted  
11 in the exposing or publication of Scientology's "secret  
12 scriptures."

13 61. The guided come from any religion and from no religion.  
14 They include those who seek God's guidance and those who don't  
15 seek His guidance, and may not even know or care that it is  
16 available. Some people may know they're called to do God's work,  
17 and don't do it. Some may not know they're called but do His  
18 work anyway. This is easily understandable because God has given  
19 everyone a conscience and written His Laws on everyone's heart,  
20 whether they know it or accept it or not. It is also easily  
21 understandable that the guided would be Scientology's natural  
22 "competitors" because Scientology has made a religion of  
23 nonguidance; and religion is a realm in which God observably has  
24 never let nonguidance triumph. Although man may attempt to keep  
25 God out of his other realms, he cannot keep God out of religion,  
26 because in this world it is His Realm.

27 62. Scientology does not acknowledge God's guidance, in  
28 fact teaches, despite its public relations to the contrary, that  
God does not exist. In his bulletin dated May 11, 1963 entitled

1 "Routine 3 Heaven," a true and correct copy of which is attached  
2 hereto as Exhibit Q, L. Ron Hubbard writes that Heaven, God and  
3 Christ are "implants," electronic mechanisms to entrap and  
4 enslave mankind. These "religious" assertions are of course  
5 blasphemous. He writes moreover about the scientific nature of  
6 this "knowledge:"

7 "This HCO Bulletin is based on over a thousand hours of  
8 research auditing, analyzing the facsimiles of the  
9 reactive mind, and with the help of a Mark V  
10 Electrometer. It is scientific research and is not in  
11 any way based upon the mere opinion of the researcher.  
12 This HCO Bulletin is not the result of the belief or  
13 beliefs of anyone. Scientology data reflects long,  
14 arduous and painstaking research over a period of some  
15 thirty years into the nature of Man, the mind, the  
16 human spirit and its relationship to the physical  
17 universe. The data and phenomena discovered in  
18 Scientology is common to all minds and all men and can  
19 be demonstrated on anyone. Truth does not require  
20 belief to be true any more than water requires anyone's  
21 permission to run downhill. The data is itself and can  
22 be duplicated by any honest researcher or  
23 practitioner." (Ex. Q, at p. 4)

24 "Routine 3 Heaven" is considered by Scientology as part of its  
25 "confidential Church scriptures which are protected trade  
26 secrets." I possessed this bulletin inside the organization,  
27 legally possess it now, and know personally at least a dozen  
28 other people who now possess it.

63. In his bulletin dated September 23, 1968 entitled

1 "Resistive Cases Former Therapy," a true and correct copy of  
2 which is attached hereto as Exhibit R, Mr. Hubbard writes that  
3 "the Christian Churches [ ] uses implanting." He calls them  
4 "gangsters" who "invented Christ (who comes from the crucifixion  
5 in R6 75m years ago) (Hubbard's parens.) and implanted their way  
6 to "power"." (Ex. R. at p. 2). This is also one of Scientology's  
7 "secret scriptures," which I and many other people legally  
8 possess. It, like the rest of the organization's "secret  
9 scriptures," is an attack on Christianity, and blasphemous.

10 64. Scientology has its salvation "plan," its goal to  
11 "clear the planet." It charges, even extorts, terrible sums of  
12 money, and lies to, cheats and bullies its adherents and targeted  
13 opposition. Its guiding principle is fair game, its doctrine of  
14 opportunistic hatred, pursuant to which it uses the law to harass  
15 its targets. God's plan on the other hand is free to everyone.  
16 He guides people to tell the truth and cheat and bully no one,  
17 but stand up to cheats and bullies, and stand up for their  
18 targets. Scientology's leaders and God and His guided are  
19 "competitors" for human souls. Scientology seeks to enslave  
20 souls, while God seeks only their freedom. Other enslavers of  
21 the soul work through other cons appealing to greed, lust, fear,  
22 evil and the like. They all lie. No one is guided by God to  
23 bind human souls with "contracts" or threats which limit their  
24 expression. No one is guided by God to hate, cheat or bully, or  
25 to use the law to harass. God's guidance is wisdom.  
26 Scientology's guidance is stupidity; hence dangerous. The  
27 exposing of dangerous cults masquerading as religions, and other  
28 enslavers, is a Biblically-blessed work of the guided. Bringing  
Scientology's actual nature, a facet of which is reflected in its

1 "secret scriptures," to light has arisen at this time because of  
2 a certain imminence. The global nature of Scientology's threat  
3 to religion, and its menace to the minds of God's children at  
4 this time are observable factors. It is altogether  
5 understandable that God would reach out through those who are  
6 available for His work in the realm of religion. WWHELP have  
7 played God-given rolls in bringing Scientology's fraud and  
8 dangers to light, and they are a part of those God guides to such  
9 religious expression. Some people testify, some picket, some  
10 encourage, some pray, some post their stories to ars. These very  
11 cool spirits may or may not believe, sense or know they are  
12 guided by God. One might think Christians would be the people  
13 most willing to speak out about Scientology and expose its  
14 "secret scriptures," because in the realm of religion the  
15 organization theologically is antichristian. I have no reason to  
16 believe that any of WWHELP consider themselves Christians.  
17 WWHELP in fact may have thought they exposed Scientology's  
18 "secret scriptures," if they indeed did, for other reasons; e.g.,  
19 that they showed it to be a criminal cult; that they are evidence  
20 of practicing medicine without a license; that the exposure might  
21 save someone from paying the criminal cult three hundred sixty  
22 thousand dollars to get to see. In my opinion, they have done  
23 God's work. Supporting that opinion is that fact that they  
24 published whatever they did without any intent to gain monetarily  
25 thereby. A prophet brings God's message to His children, and  
26 cannot be silenced by our courts, even if he is a Prophet to  
27 Scientologists.

28 65. Scientology claims to be prosecuting WWHELP for  
allegedly publishing its "secret scriptures," which includes the

1 "OT materials," and the "NOTS materials." To accomplish its  
 2 raids and bring and maintain its lawsuits the organization has  
 3 asserted that the OT and NOTS materials had been kept secret, and  
 4 were not generally known except by its own adherents. This is  
 5 false. I have possessed a copy of the OT materials for many  
 6 years, and I know others who possessed these materials long  
 7 before any of the internet publications. During the Armstrong I  
 8 litigation I possessed a copy of the complete set of NOTS  
 9 materials, and I know several other people who possessed them  
 10 long before any were published on the internet. At the time of  
 11 the Armstrong I "settlement" I delivered my copy of the NOTS  
 12 materials to the Scientology organization. This copy should be  
 13 available to WWHELP through discovery in their cases. In my  
 14 opinion, Scientology's leaders have not brought these cases to  
 15 protect the "secret scriptures," because they are not secret, but  
 16 have used the law of trade secret and copyrights as an  
 17 opportunity to harass available "targets," and thus send a brutal  
 18 message to intimidate anyone whom God might call to stand up and  
 19 speak free.

20 66. Each of the WWHELP cases is being prosecuted by  
 21 Scientology entity RTC, which claims to own the "religion's"  
 22 marks, trade secrets and copyrighted materials. RTC, operated by  
 23 David Miscavige, is able to "legally" control the "religion," its  
 24 operations, personnel, communication lines, finances, lawyers and  
 25 agents because of this claimed ownership. In my opinion RTC did  
 26 not obtain this claimed ownership by legal means, and now  
 27 maintains such illegally ownership to the detriment of the  
 28 practitioners of the "religion" and society at large. It is my  
 understanding that David Miscavige notarized the signature of L.



1 Ron Hubbard near the time of his alleged death in 1986 on a  
2 document which transferred Mr. Hubbard's ownership of certain  
3 rights and/or marks from himself to RTC. While on board the  
4 "Apollo" during 1972 through 1974 I was required on a number of  
5 occasions to have Mr. Hubbard's signature notarized on various  
6 documents. There were a couple of notaries in Portugal I got to  
7 know who would verify the signature by comparison with a  
8 signature in their signature book. There were times when I took  
9 documents to these notaries which were not signed by Mr. Hubbard,  
10 but by Joyce Popham, who could sign his signature extremely well.  
11 Two of the documents signed by Ms. Popham were for the  
12 registration of the marks "Dianetics" and "Scientology." The  
13 forging of signatures or obtaining false notarizations is not  
14 unreasonable in Scientology affairs. There is as well the more  
15 serious question of Mr. Hubbard's actually not owing or  
16 possessing the rights RTC says it acquired from him.

17 67. Attached hereto as Exhibit S is a true and correct copy  
18 of three documents I received in late November, 1996 from Craig  
19 Branch of the Watchman Fellowship, a Christian research and  
20 apologetics organization and publisher. The first document is an  
21 undated letter to me from Mr. Branch. The second is a letter  
22 dated October 21, 1996 from Cathy Norman of Scientology's Office  
23 of Special Affairs in Austin, Texas. The third document is black  
24 PR on me in the form of a standard "DA document." It repeats the  
25 same lies David Miscavige put in his declaration (Ex. E). See,  
26 e.g., Ex. S, DA Doc, at p. 4 where Scientology asserts that "the  
27 Church obtained permission from the Los Angeles Police Department  
28 to conduct undercover surveillance of Armstrong, and compare with  
Ex. F, and the attached public announcement of then LAPD Chief

1 Daryl Gates. According to Scientology I cannot respond to  
2 correct the lies in this latest example of Scientology's black PR  
3 to reach me, in this case sent to a prominent person in the  
4 Christian community. Scientology is attempting with this sort of  
5 attack, coupled with its "non-disclosure" contracts and orders,  
6 its glossy PR, legal triumphs, etc. to rewrite history. I  
7 believe Scientology's efforts to rewrite history are dangerous,  
8 and my silence only abets the threat. In my opinion, Scientology  
9 can never rewrite history, and it is well advised to give up the  
10 effort and instead through honest change become the honest  
11 organization it now tries dishonestly to get the world to believe  
12 it is.

13 68. On January 23, 1996 I received in the mail from Grady  
14 Ward a subpoena, a true and correct copy of which is attached  
15 hereto as Exhibit T, for production of documents in his case.

16 69. On January 24 I received from attorney Andrew H. Wilson  
17 a fax letter, a true and correct copy of which is attached hereto  
18 as Exhibit U, threatening prosecution in Armstrong IV if I  
19 provide documents to Mr. Ward pursuant to his subpoena. This  
20 letter is frightening to me, and supports why I am sending this  
21 declaration directly to the Court, and why the "settlement  
22 agreement" and the Thomas order are illegal. Mr. Ward does not  
23 have the time to wait for my testimony until Scientology's motion  
24 for protective order is heard before he must file this testimony.  
25 In my opinion, that is precisely why Mr. Wilson has sent his  
26 threat letter. Scientology already enjoys a terribly uneven  
27 playing field in its cases against WWHELP, especially against Mr.  
28 Ward and Mr. Henson, who are proceeding unfinanced and undefended  
by lawyers. We're kindred souls. Scientology spends millions on

1 lawyers and more millions on private investigators. Its history  
2 of attacks on judges and efforts to compromise judges was known  
3 to me inside the organization, and I have learned more about this  
4 evil since leaving. Scientology's personnel are trained to lie,  
5 and its lawyers paid to lie. It has a policy and history of  
6 destruction of evidence (See, e.g., Ex. D). It seizes every  
7 advantage our country's laws confer on religions and does not  
8 perform its responsibilities as a religion. It keeps witnesses  
9 with material evidence bound and intimidated by illegal "non-  
10 assistance" contracts and other threats. Other people who have  
11 testimony regarding Scientology's nature, structure, history,  
12 "scriptures," and practices, who I know or have been so informed,  
13 to also be bound by Scientology's "contracts," include, at least:  
14 Laurel Sullivan, William Franks, Howard Schomer, Martin Samuels,  
15 Michael Flynn, Esq., Julia Dragojevic, Esq., Garry P. McMurry,  
16 Esq., Gabe Cazares, Bent Corydon, Michael Douglas, Kima Douglas,  
17 Nancy Dincalci, Edward Walters, Julie Christofferson, Nancy  
18 McLean, John McLean, Warren Friske, Robert Dardano, Tonja Burden,  
19 Margery Wakefield, Paulette Cooper, David Mayo. In my opinion,  
20 Scientology steps so brazenly into court and sues so wantonly  
21 because it believes it has so many people bound to silence that  
22 it can lie with impunity.

23 70. Mr. Ward, and indeed all of WWHELP, should be able to  
24 freely obtain the testimony of anyone willing to testify on their  
25 behalf, or by subpoena anyone unwilling. They should be able to  
26 obtain the assistance of any expert witness they believe can  
27 help. Because Scientology has so distorted the floor of the  
28 legal arena I am moved to seek guidance in how to help. No  
person, seeking and knowing God's guidance, would not help. I

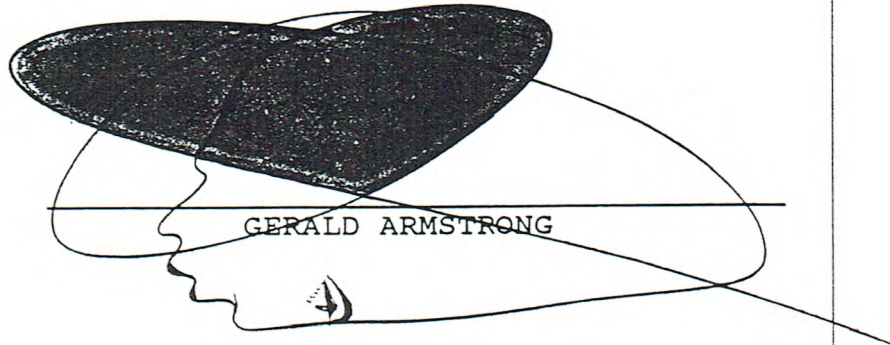
1 have a personal interest in the outcome of all of Scientology's  
2 cases, because an outcome favorable to the organization will be  
3 used to attack me and my friends.

4 71. If it is within this Court's power, and I believe it  
5 is, I ask that it issue an order prohibiting Scientology from  
6 interfering with Mr. Ward's, Mr. Henson's and Mr. Erlich's  
7 witnesses, including me, and an order to Scientology to release  
8 me from its "contract" and the Thomas order so that I am free to  
9 assist these defendants in their cases.

10 I declare under the penalty of perjury under the laws of the  
11 State of California that the foregoing is true and correct.

12 Executed at San Anselmo, California, on January 26, 1997

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



GERALD ARMSTRONG

Issued by the  
UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

CALIFORNIA

R.T.C. v. WARD

SUBPOENA IN A CIVIL CASE

CASE NUMBER: C 96 20207

1-23-97

TO: GERRY ARMSTRONG  
715 SIR FRANCIS DRAKE BOULEVARD  
SAN ANSELMO, CA 94960

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

① All documents and declarations authored by yourself documenting abuse, fraud, and unlawful acts by the Church of Scientology Enterprise or any of its investigators such as Eugene Martin Ingram. Photocopies mailed to me are acceptable.

PLACE - The office of Grady Ward  
3449 MARTHA CT., ARCATA, CA 95521

DATE AND TIME

MONDAY, JAN. 27, 1997

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Grady Ward, ATTN: PRO SE (DEFENDANT)

JAN. 17, 1997

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

GRADY WARD  
3449 MARTHA CT. ARCATA CA 95521

grady@tidepod.com  
(707) 826-7712

PROOF OF SERVICE

|   |                         |                                   |
|---|-------------------------|-----------------------------------|
|   | DATE                    | PLACE                             |
| SERVED  | MAILED JANUARY 18, 1997 | FROM ARCATA, CALIFORNIA, FIRST CL |
| SERVED ON (PRINT NAME)  | MANNER OF SERVICE       |                                   |
| GERRY ARMSTRONG<br>715 SIR FRANCIS DRAKE Blvd.<br>SAN ANSELMO, CA 94960 | U.S. MAIL               |                                   |
| SERVED BY (PRINT NAME)  | TITLE                   |                                   |
| FELICITY WASSER<br>3449 MARTHA CT.<br>ARCATA, CA 95521                  |                         |                                   |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on JANUARY 18, 1997  
DATE

Felicity Wasser  
SIGNATURE OF SERVER  
3449 MARTHA CT.  
ADDRESS OF SERVER  
ARCATA, CA 95521

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where

person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of an unretained expert's opinion or matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

87

## WILSON CAMPILONGO LLP

115 SANSOME STREET, SUITE 400

SAN FRANCISCO, CALIFORNIA 94104

(415) 391-3900

TELECOPY (415) 954-0938

ANDREW H. WILSON

January 24, 1997

VIA FACSIMILE (415) 456-8450 AND REGULAR MAIL

Gerald Armstrong  
715 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

Re: CSI v. Armstrong  
Our File No. SCI02-003

Dear Mr. Armstrong:

I understand that you have recently been served by mail with a subpoena in RTC v. Ward pending in the Northern District of California requiring production of various documents which are within the purview of the December 6, 1986 Settlement Agreement and, hence, the various interlocutory orders and judgment in Church of Scientology International v. Armstrong, Marin County Superior Court No. 157 680. I am sure that you wish to conduct yourself so as not to violate any of your obligations under either, and I wish to avoid further conflict and annoyance between you and my client as much as possible.

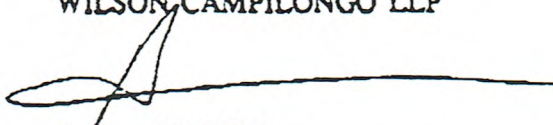
Your obligation to produce documents in response to lawfully issued and served subpoena is unquestioned. It is my understanding, however, that there are various defects with the instant subpoena, including manner of service and length of time between service and appearance. These defects, and other substantive reasons are the basis for a motion for protective order in RTC v. Ward.

I insist that you refrain from premature disclosure of documents before this motion is heard. I believe that the Agreement requires no less, and there is no reason for this to become an issue if you withhold production pending the Court's ruling in RTC v. Ward. Disclosure before this ruling would support the inference that you were in collusion with Mr. Ward, an appearance I am certain you wish to avoid.

Please let me know promptly whether you will do so. Thank you.

Very truly yours,

WILSON CAMPILONGO LLP



Andrew H. Wilson

546 04962

BOARDING PASS

NAME OF PASSENGER  
**ARMSTRONG/GERALD**

FROM **SEATTLE**

TO **VANCOUVER**

CARRIER **CANADIAN AIR**

CARRIER FLIGHT CLASS DATE TIME  
**CP 1192 H 11FEB 12**

GATE SEAT SMOKE  
**9A NO**

\*\*\*\*\*

PCS WT UNCKD BAGGAGE ID NUMBER

**1 018 1281604460 1**

**1V 06719963**

THIS BOARDING PASS IS VALID ONLY IF THE TICKET FROM WHICH IT  
ISSUED IS VALID AND THE PASSENGER IS REGISTERED FOR THE FLIGHT



76

**FILED**

OCT 17 1995

HOWARD HANSON  
MARIN COUNTY CLERK  
by J. Steele, Deputy

1 Andrew H. Wilson, SBN 063209  
2 WILSON, RYAN & CAMPILONGO  
3 115 Sansome Street  
4 Fourth Floor  
5 San Francisco, California 94104  
6 (415) 391-3900  
7 Telefax: (415) 954-0938

8 Laurie J. Bartilson, SBN 139220  
9 MOXON & BARTILSON  
10 6255 Sunset Boulevard, Suite 2000  
11 Hollywood, CA 90028  
12 (213) 960-1936  
13 Telefax: (213) 953-3351

14 Attorneys for Plaintiff  
15 CHURCH OF SCIENTOLOGY  
16 INTERNATIONAL

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
18 FOR THE COUNTY OF MARIN

19 CHURCH OF SCIENTOLOGY )  
20 INTERNATIONAL, a California not-for-profit )  
21 religious corporation, )

CASE NO. BC 157680

~~PROPOSED~~

GWT. 10/17/95

ORDER OF PERMANENT  
INJUNCTION

Plaintiff,

vs.

DATE: October 6, 1995  
TIME: 9:00 a.m.  
DEPT: 1

22 GERALD ARMSTRONG; DOES 1 through )  
23 25, Inclusive, )

TRIAL DATE: Vacated

Defendants.

24 This matter came on for hearing on October 6, 1995, on motion of plaintiff  
25 Church of Scientology International ("the Church") for Summary Adjudication of  
26 the Twentieth Cause of Action of the Second Amended Complaint. Plaintiff  
27 Church of Scientology International appeared by its attorneys, Andrew H. Wilson  
28 of Wilson, Ryan & Campilongo and Laurie J. Bartilson of Bowles & Moxon.

1 defendant Armstrong appeared by his attorney, Ford Greene. Having read and  
2 considered the moving and opposing papers, and the evidence and arguments  
3 presented therein and at the hearing, and good cause appearing:

4 IT IS ORDERED:

5 The Church's motion for summary adjudication of the twentieth cause of  
6 action of the Second Amended Complaint is GRANTED. The Court finds that there  
7 is no triable issue of material fact as to any of the following:

8 1. Plaintiff and defendant freely and voluntarily entered into a Mutual  
9 Release of All Claims and Settlement Agreement ("Agreement") in December,  
10 1986.

11 2. Plaintiff performed all of its obligations pursuant to the Agreement.

12 3. Defendant Armstrong received substantial consideration for the  
13 promises which he made in the Agreement.

14 4. Since 1990, defendant Armstrong has repeatedly breached  
15 paragraphs 7(D), 7(E), 7(H), 7(G), 10, 18(D) and 20 of the Agreement.

16 5. Between 1991 and the present, Armstrong breached paragraphs 7(G),  
17 7(H) and 10 of the Agreement by providing voluntary assistance, exclusive of  
18 testimony made pursuant to a valid subpoena, to the following private individuals,  
19 each of whom was pressing a claim or engaged in litigation with plaintiff and/or  
20 one or more of the designated beneficiaries of the Agreement:

21 \* Vicki and Richard Aznaran, anti-Scientology litigants in the case of  
22 Vicki Aznaran, et al. v. Church of Scientology International, United States  
23 District Court for the Central District of California, Case No. CV 88-1786  
24 (JMI) [Sep.St.Nos. 11-16];

25 \* Joseph A. Yanny, anti-Scientology litigant in the case of Religious  
26 Technology Center et al. v. Joseph Yanny, et al., Los Angeles Superior  
27 Court No. C 690211 and Religious Technology Center et al. v. Joseph  
28 Yanny, et al., Los Angeles Superior Court No. BC 033035 [Sep.St.Nos. 17-

1 20);

2 \* Malcolm Nothling, anti-Scientology litigant in the matter between  
3 Malcolm Nothling and the Church of Scientology in South Africa, Adi Codd,  
4 Diane Kemp, Glen Rollins; Supreme Court of South Africa (Witwatzbrand  
5 Local Division) Case No. 19221/88. [Sep.St.Nos. 21-24];

6 \* Reader's Digest Corporation, anti-Scientology litigant in the case of  
7 Church of Scientology of Lausanne vs. Kiosk AG, Basel, Switzerland  
8 [Sep.St.Nos. 25-26];

9 \* Richard Behar, anti-Scientology litigant in the case of Church of  
10 Scientology International v. Time Warner, Inc.; Time Inc. Magazine Company  
11 and Richard Behar, United States District Court, Southern District of New  
12 York, Case No. 92 Civ. 3024 PKL [Sep.St.Nos. 27-28];

13 \* Steven Hunziker, anti-Scientology litigant in the case of Hunziker v.  
14 Applied Materials, Inc., Santa Clara Superior Court Case No. 692629  
15 [Sep.St.Nos. 29-33];

16 \* David Mayo, anti-Scientology litigant in the case of Religious  
17 Technology Center v. Robin Scott, et al., United States District Court for the  
18 Central District of California, Case No. 85-711 [Sep.St.Nos. 34-35];

19 \* Cult Awareness Network, anti-Scientology litigant in the case of Cult  
20 Awareness Network v. Church of Scientology International, et al., Circuit  
21 Court of Cook County, Illinois, No. 94L804 [Sep.St.Nos. 38-39];

22 \* Lawrence Wollersheim, anti-Scientology litigant in the cases of  
23 Lawrence Wollersheim v. Church of Scientology of California, Los Angeles  
24 Superior Court Number C332027 and Church of Scientology of California v.  
25 Lawrence Wollersheim, Los Angeles Superior Court Number BC074815  
26 [Sep.St.Nos. 40-42];

27 \* Ronald Lawley, anti-Scientology litigant in the cases of Religious  
28 Technology Center, et al. vs. Robin Scott, et al., U.S. District Court, Central

1 District of California, Case No. 85-711 MRP(Bx); Matter Between Church of  
 2 Scientology Advanced Organization Saint Hill Europe and Africa, and Robin  
 3 Scott, Ron Lawley, Morag Bellmaine, Stephen Bisbey in the High Court of  
 4 Justice Queen's Bench Division, Case 1984 S No. 1675; and Matter  
 5 Between Church of Scientology Religious Education College Inc., and Nancy  
 6 Carter, Ron Lawley, Steven Bisbey, in the High Court of Justice Queen's  
 7 Bench Division, Case 1986 C No. 12230 [Sep.St.Nos. 43-44];

8 \* Uwe Geertz and Steven Fishman, anti-Scientology litigants in the case  
 9 of Church of Scientology International v. Steven Fishman, et al., United  
 10 States District Court for the Central District of California Number 91-6426  
 11 HLH(Tx) [Sep.St.Nos. 45-46];

12 \* Tilly Good, a claimant against the Church of Scientology, Mission of  
 13 Sacramento Valley [Sep.St.Nos. 36-37];

14 \* Denise Cantin, a claimant against the Church of Scientology of Orange  
 15 County; Church of Scientology of Boston; and Church of Scientology, Flag  
 16 Service Organization [Sep.St.Nos. 36-37]; and

17 \* Ed Roberts, a claimant against the Church of Scientology of  
 18 Stevens Creek [Sep.St.Nos. 36-37].

19 6. Between 1992 and the present, Armstrong breached paragraph 7(D)  
 20 of the Agreement by contacting media representatives, granting interviews and  
 21 attempting to assist media representatives in the preparation for publication or  
 22 broadcast magazine articles, newspaper articles, books, radio and television  
 23 programs, about or concerning the Church and/or other persons and entities  
 24 referred to in paragraph 1 of the Agreement. These media representatives  
 25 included:

26 \* Cable Network News: reporter Don Knapp, in March, 1992  
 27 [Sep.St.Nos. 47-48];

28 \* American Lawyer Magazine: reporter Bill Horne, in March, 1992

- 1 [Sep.St.No. 49];
- 2 \* Los Angeles Times: reporter Bob Welkos, in May, 1992; and reporter
- 3 Joel Sappell, in June, 1993 [Sep.St.Nos. 50-51];
- 4 \* CAN Video Interview, with anti-Scientologists "Spanky" Taylor and
- 5 Jerry Whitfield, in November, 1992 [Sep.St.No. 52];
- 6 \* KFOX Radio: interview planned but prevented in April, 1993
- 7 [Sep.St.No. 53];
- 8 \* Newsweek Magazine: reporter Charles Fleming, in June, 1993 and
- 9 August, 1993 [Sep.St.No. 54-56];
- 10 \* Daily Journal: reporter Mike Tipping, in June, 1993 [Sep.St.No. 57];
- 11 \* Time Magazine: reporter Richard Behar, in March, 1992 and in June,
- 12 1993 [Sep.St.Nos. 58-59];
- 13 \* San Francisco Recorder: reporter Jennifer Cohen, in August, 1993
- 14 [Sep.St.No. 60];
- 15 \* El Entertainment Network: reporter Greg Agnew, in August, 1993
- 16 [Sep.St.No. 61];
- 17 \* WORD Radio: Pittsburgh, Pennsylvania, interviewed in the fall of 1993
- 18 [Sep.St.No. 62];
- 19 \* St. Petersburg Times: St. Petersburg, Florida, reporter Wayne Garcia,
- 20 in the fall of 1993 [Sep.St.No. 63];
- 21 \* Premiere Magazine: letter to the editor, in October, 1993 [Sep.St.No.
- 22 64];
- 23 \* Mirror-Group Newspapers: United Kingdom, in May, 1994
- 24 [Sep.St.No. 65];
- 25 \* Gauntlet Magazine: New York, New York, reporter Rick Cusick in
- 26 June, 1994 [Sep.St.No. 66];
- 27 \* Pacific Sun Newspaper: reporter Rick Sine, in June and July, 1994
- 28 [Sep.St.No. 67];

81

1 \* Disney Cable: reporter Marsha Nix, in August, 1994 [Sep.St.No. 68];  
2 and

3 \* Tom Voltz: Swiss author writing a book about Scientology, in  
4 October, 1994 [Sep.St.No. 69].

5 7. Between 1992 and the present, Armstrong breached paragraph 7(D)  
6 of the Agreement by preparing and distributing at least three manuscripts  
7 concerning his claimed experiences in and with Scientology, including a treatment  
8 for a screenplay which he intends to turn into a film [Sep.St.Nos.70-71].

9 8. Between 1991 and the present, Armstrong further breached  
10 paragraph 7(D) of the Agreement by disclosing his claimed experiences in or with  
11 Scientology to each of the following persons or groups, not previously identified:  
12 Robert Lobsinger [Sep.St.No. 72]; the New York Times [Sep.St.No. 73]; Toby  
13 Plevin, Stuart Culter, Anthony Laing, Kent Burtner, and Margaret Singer  
14 [Sep.St.No. 74]; Priscilla Coates [Sep.St.No. 75]; Omar Garrison [Sep.St.No. 76];  
15 Vaughn and Stacy Young [Sep.St.No. 77]; a Stanford University psychology class  
16 [Sep.St.No. 78]; attendees at the 1992 Cult Awareness Network Convention  
17 [Sep.St.No. 79]; and Hana Whitfield [Sep.St.No. 80].

18 9. Defendant Armstrong has reiterated numerous times that he intends  
19 to continuing breaching the Agreement unless he is ordered by the Court to cease  
20 and desist [Sep.St.Nos. 87-97].

21 10. Plaintiff's legal remedies are inadequate insofar as the scope of the  
22 relief ordered below is concerned. Tamarind Lithography Workshop, Inc. v. Sanders  
23 (1983) 143 Cal.App.3d 571, 577-578, 193 Cal.Rptr. 409, 413.

24 Accordingly, the Court finds that entry of a permanent injunction in this  
25 action is necessary in this action because pecuniary compensation could not afford  
26 the Church adequate relief, and the restraint is necessary in order to prevent a  
27 multiplicity of actions for breach of contract. Civil Code § 3422(1),(3). A ORDER  
28 of injunction is therefore entered as follows:

1 Defendant Gerald Armstrong, his agents, employees, and persons acting in  
2 concert or conspiracy with him are restrained and enjoined from doing directly or  
3 indirectly any of the following:

4 1. Voluntarily assisting any person (not a governmental organ or  
5 entity) intending to make, intending to press, intending to arbitrate, or  
6 intending to litigate a claim, regarding such claim or regarding pressing,  
7 arbitrating, or litigating it, against any of the following persons or entities:

- 8 ○ The Church of Scientology International, its officers, directors, agents,  
9 representatives, employees, volunteers, successors, assigns and legal  
10 counsel;
- 11 ○ The Church of Scientology of California, its officers, directors, agents,  
12 representatives, employees, volunteers, successors, assigns and legal  
13 counsel;
- 14 ○ Religious Technology Center, its officers, directors, agents,  
15 representatives, employees, volunteers, successors, assigns and legal  
16 counsel;
- 17 ○ The Church of Spiritual Technology, its officers, directors, agents,  
18 representatives, employees, volunteers, successors, assigns and legal  
19 counsel;
- 20 ○ All Scientology and Scientology affiliated Churches, organizations and  
21 entities, and their officers, directors, agents, representatives,  
22 employees, volunteers, successors, assigns and legal counsel;
- 23 ○ Author Services, Inc., its officers, directors, agents, representatives,  
24 employees, volunteers, successors, assigns and legal counsel;
- 25 ○ The Estate of L. Ron Hubbard, its executor, beneficiaries, heirs,  
26 representatives, and legal counsel; and/or
- 27 ○ Mary Sue Hubbard;

28 (Hereinafter referred to collectively as "the Beneficiaries");

83

1           2.     Voluntarily assisting any person (not a governmental organ or  
2     entity) defending a claim, intending to defend a claim, intending to defend an  
3     arbitration, or intending to defend any claim being pressed, made, arbitrated  
4     or litigated by any of the Beneficiaries, regarding such claim or regarding  
5     defending, arbitrating, or litigating against it;

6           3.     Voluntarily assisting any person (not a governmental organ or  
7     entity) arbitrating or litigating adversely to any of the Beneficiaries;

8           4.     Facilitating in any manner the creation, publication, broadcast,  
9     writing, filming audio recording, video recording, electronic recording or  
10    reproduction of any kind of any book, article, film, television program, radio  
11    program, treatment, declaration, screenplay or other literary, artistic or  
12    documentary work of any kind which discusses, refers to or mentions  
13    Scientology, the Church, and/or any of the Beneficiaries;

14          5.     Discussing with anyone, not a member of Armstrong's  
15    immediate family or his attorney, Scientology, the Church, and/or any of the  
16    Beneficiaries;

17    In addition, it is ORDERED that, within 20 days of the issuance of this Order,  
18    Armstrong shall:

19          1.     Return to the Church any documents which he now has in his  
20    possession, custody or control which discuss or concern Scientology, the  
21    Church and/or any person or entity referred to in paragraph 1 of the "Mutual  
22    Release of All Claims and Settlement Agreement" of December, 1986, other  
23    than documents which have been filed in this litigation.

24    It is further ORDERED that during the pendency of this litigation, documents  
25    which have been filed in this litigation may be retained by Armstrong's counsel.  
26    Those documents are to remain sealed, in the possession of Mr. Greene or any  
27    successor counsel, and may not be distributed to third parties. At the conclusion  
28    of the instant litigation, it is ORDERED that all documents from this case in



1 counsel's possession which do not comprise counsel's work product will be  
2 delivered to counsel for plaintiff. Counsel's work product may be retained by  
3 Armstrong's counsel.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: \_\_\_\_\_, 1995

OCT 17 1995

GARY W. THOMAS

THE HONORABLE GARY W. THOMAS  
SUPERIOR COURT JUDGE

# Church of Scientology of Texas

88

2200 Guadalupe, Austin, Texas 78705 (512) 474-6631

Craig Branch  
Watchman Fellowship  
PO Box 53084  
Birmingham, AL 35253

October 21, 1996

Re: Latey and Armstrong Decisions

Dear Mr. Branch:

Enclosed are a couple of things I provided to James Walker in our last meeting. I believe this is documentation you may not have. Please keep this data in your files on Scientology.

The Latey decision a child custody decision with language that was very critical of Scientology.

Your statement during the St. Louis conference that the Church's lawyers had an opportunity to present their side of the case was not true. The judge allowed enemies of the Church to testify in this case but did not allow the Church itself to put on evidence, appear in the case or refute what was said. As you are probably well aware, custody and divorce cases where religion is made an issue are notorious for this kind of thing.

The Armstrong decision also contained language that was quite critical of Scientology. While Judge Brackenridge himself obviously had ill feelings toward the Church, the California appeals court has held that there can be no problem of stigmatization of the Church from this language because Brackenridge was only reciting Armstrong's purported state of mind. If you wished you could probably track down the appeal decision in this case and verify this for yourself.

Sincerely,



Cathy Norman

cc: James Walker

10-May-1993

CHURCH OF SCIENTOLOGY OF CALIFORNIA (PLAINTIFF)

VS

GERALD ARMSTRONG (DEFENDANT)

June 20, 1984

**FALSEHOOD IN DECISION OF JUDGE BRECKENRIDGE:**

"While defendant has asserted various theories of defense, the basic thrust of his testimony is that he did what he did, because he believed that his life, physical and mental well being, as well as that of his wife were threatened because the organization was aware of what he knew about the life of LRH, the secret machinations and financial activities of the Church and his dedication to the truth."

**TRUE INFORMATION:**

Los Angeles Superior Court Judge Paul Breckenridge made the above statement as part of a decision where the Church had sued Armstrong for theft of certain confidential documents from the Church. As the following information will show, Gerry Armstrong, far from being afraid for his life, was actively engaged in secret machinations of his own to seize control of the Church. Far from any "dedication to the truth," Armstrong has boasted at length of his ability to lie and to forge documents.

Gerald Armstrong is a former clerk employed by Church of Scientology of California. During the later years of his tenure as an employee of the Church, Armstrong was placed in charge of a huge quantity of documents that belonged to L. Ron Hubbard that contained private and personal information regarding Mr. Hubbard. Part of his duties included research to support the work of an author who had been retained to write an authorized biography of Mr. Hubbard.

In late 1981, Armstrong suddenly vacated Church premises and left its employ, taking with him huge numbers of confidential documents that belonged to Mr. Hubbard or his wife which the Church was holding as bailee. It was no coincidence that Armstrong left at that time because he had repeatedly expressed his ambition to join the Guardian's Office, a former autonomous unit which handled external-facing matters for the Church during the 1970's. The Guardian's Office at the time Armstrong left was in the process of being taken over and ultimately disbanded by Church management due to its destructive actions in violation of the policies of the Church.

In the summer of 1982 the Church received evidence that Armstrong had stolen thousands of documents from archives when he left the Church. Church counsel wrote to Armstrong, demanding that he return them. Armstrong denied the theft.

Once the demand for return of documents was made, Armstrong turned the stolen documents over to an attorney named Michael Flynn, with whom Armstrong decided he could make a lot of money.

In August 1982, the Church sued Armstrong for conversion, breach of fiduciary duty and confidence, and invasion of privacy based on Armstrong's theft of extensive amounts of private papers owned by the Church or the Hubbards. The Church sought return of the papers and the imposition of a constructive trust over them, and any proceeds derived from them, as well as preliminary and permanent injunctive relief against dissemination or disclosure of the private documents.

In September 1982, Armstrong, represented by Flynn, answered the complaint and raised the defense that he was justified in stealing the documents entrusted to him as a fiduciary because he wished to make public information about Mr. Hubbard and the Church out of fear for his safety and well-being. His defense was stricken on four different occasions by three different judges.

Armstrong and Flynn were then ordered to turn all copies of the documents that Armstrong had stolen over to the court where they were placed under seal. By the time this was done, however, they had ample time with the documents to prepare a defense that was largely based on the documents.

In April 1984, the case was assigned for trial before Judge Paul Breckenridge, Jr. At that time, the Church presented motions to prevent Armstrong from introducing the stolen, confidential documents since their introduction into evidence would invalidate the very rights of privacy the action sought to protect. The Court not only allowed Armstrong to introduce the confidential documents, but also allowed him to raise his four-times stricken defense with a new perverted twist. He would not have to prove there was anything to fear from the Church, but only that it was his state of mind that there was at the time that he stole the documents. ~~The Church was completely ambushed in the trial by these documents, as in most cases Armstrong had stolen the only copy that existed.~~ Whereas Flynn had been able to prepare their case from documents before they were placed under seal in the Court, the Church had no access to them. Although the inflammatory allegations that Armstrong made and purported to support with these documents could have been shown to be false or grossly distorted by other evidence, the Church had no chance to prepare and put on that evidence before being hit with the documents in trial.

During the trial, Armstrong presented testimony from numerous witnesses who testified for the purpose of establishing Armstrong's supposed "state of mind" with regard to his alleged justification for stealing the documents. Each of the witnesses was hostile to the Church and, in fact, was a plaintiff against or taking a position adverse to the Church in other litigation in which Flynn was the counsel. Each witness gave general testimony about his or her own viewpoint on relationships with the Church in an effort to bolster Armstrong's state of mind justification defense.

The Court did not allow the Church to put on evidence to rebut the testimony of those witnesses. The Court also declined to allow the Church to put on evidence explaining the confidential documents and precluded the Church's proffered rebuttal evidence on the ground that the adverse testimony was admitted only for the purpose of establishing Armstrong's state of mind and not for the truth or falsity of the matter testified about.

On July 20, 1984, Judge Breckenridge issued the above Statement of Intended Decision which became final a month later, which held that the Church had "made out a prima facie case of conversion..., breach of fiduciary duty, and breach of confidence" (i.e. the Church had proven that Armstrong was guilty of stealing the documents and violating the confidences and duties he owed to his former employer). Judgment, however, was entered in favor of Armstrong, essentially finding that Armstrong was justified in committing these offenses to defend himself because he had become ". . . terrified and feared that his life and the life of his wife were in danger, and he also feared he would be the target of costly and harassing lawsuits." The judge went on to pontificate on the psychological mind-set of not only Mr. Hubbard, but Scientology at large. The only lawsuit that there was to fear was the one that was ultimately filed for return of the stolen documents. It never would have been brought had Armstrong voluntarily returned the documents when asked, despite the theft.

Thus the entire basis for the Breckenridge decision was that Armstrong's state of mind when he committed these thefts was that he was afraid of the Church. Evidence found after the Armstrong trial proves not only that Armstrong never was afraid of the Church as he claimed at trial -- those claims were a total farce -- but that he was engineering a plan to infiltrate and take over the Church at the behest of the Criminal Investigation Division of the Internal Revenue Service (IRS CID), in complete and willful violation of the First Amendment to the Constitution and the actual purpose of the IRS.

Shortly after the trial, Armstrong's conspiracy against the Church surfaced when he sought, at the behest of IRS CID agents Al Lipkin and Phillip Xanthos, to recruit Church employees and

organize them against the Church. To this end Armstrong contacted a Church member and former friend to enlist his aid in recruiting a group of dissident Scientologists to overthrow Church management. After this individual informed the Church of Armstrong's plan, however, the Church obtained permission from the Los Angeles Police Department to conduct undercover surveillance of Armstrong in order to catch him in the act. The Church then used two "undercover" persons to collect evidence of Armstrong's machinations.

Videotaped conversations show that Armstrong intended to recruit additional persons to create "as much s\_\_\_ for the organization as possible." Part of this plan was to seed the Church's files with forged and "incriminating" documents which would then be seized in a raid by the Internal Revenue Service. Armstrong and those he recruited would then follow after with sham lawsuits intended to seize control of the Church after such a raid. The video-taped conversations also showed Armstrong planning in advance to lie under oath to prevent discovery and to protect his co-conspirators.

Armstrong was also captured on the videotapes admitting that there the purported basis for his justification defense -- that he feared the Church -- was completely bogus, since he had no fear that anyone associated with the Church could or would harm him. Speaking with an undercover operative known to Armstrong as "Joey," Armstrong revealed his "justification" defense for the fraud it was, and that his only "fear" was that his conspiratorial plans would be discovered:

JOEY: Well, you're not hiding!

ARMSTRONG: Huh?

JOEY: You're not hiding.

ARMSTRONG: F\_\_\_ no! And . . .

JOEY: You're not afraid, are you?

ARMSTRONG: No! And that's why I'm in a f\_\_\_ing stronger position than they are!

JOEY: How's that?

ARMSTRONG: Why, I'll bring them to their knees!

Armstrong requested that the undercover persons give him Church documents so that he could forge documents in the same style. In particularly revealing language with respect to the documents he stole and later relied on at trial, Armstrong stated with respect to forgeries that he could "create documents with relative ease" because he "did it for a living."

-5-

Armstrong then planned to "plant" forged, incriminating documents in the Church's files so that those documents could be later discovered and used to discredit the Church. Armstrong planned to "tip off" investigators for the Criminal Investigations Division of the Internal Revenue Service once the phony documents were safely planted so that they could be "discovered" in a later IRS raid.

JOEY: (Laughs) Great, so what kind of stuff are we going to want to create and who's going to get it?

ARMSTRONG: That's what we need to talk about!

\* \* \*

JOEY: -- and what do the agencies want on this?

ARMSTRONG: O.K. Well, the agencies have asked for some specific things, that's all they asked for. Now - -

\* \* \*

JOEY: Now, who wanted this?

ARMSTRONG: CID.

The videotapes also reveal Armstrong's true motivations and his systematic and fraudulent sabotage of the trial. Armstrong stated he would bring the Church to its knees and that the fomentation of litigation was one of the prime vehicles for accomplishing this objective. He stated:

ARMSTRONG: That they're going to lose in a whole bunch of jurisdictions. They're going to lose, they're going to lose, they're going to lose (tapping his palm each time he said it). And they're going to start losing (shrugs) 1985. They only even have to lose one, and attorneys all over the country are going to jump on the f\_\_\_ing bandwagon. And watch, you know, all of a sudden you've got precedents being established, which are incredible.

Armstrong further explained that, from his perspective, neither the truth nor good faith play any significant role in litigation. He instructed the undercover Church member that facts mean nothing to a civil litigant and that truth is merely an avoidable obstacle. Armstrong explained how a civil claim can be pursued despite an absence of a claim or essential facts:

ARMSTRONG: They can allege it. They can allege it. They don't even have -- they can allege it.

MIKE: So they don't even have to have the document sitting in front of them and then --

ARMSTRONG: F\_\_\_ing say the organization destroys the documents

\* \* \*

ARMSTRONG: Where are the -- we don't have to prove a goddam thing. We don't have to prove s\_\_\_; we just have to allege it.

As to Armstrong's "dedication to the truth," for which he is complimented in the trial court's decision, Armstrong took the opportunity to instruct both "Joey" and "Mike" separately on the need and desirability of lying under oath:

ARMSTRONG: . . . . By the way, no one will ever get any names, any communications, any times, any dates or anything out of me, that's just the way it is. I'll go to prison before I ever talk, okay. So you have to know that, because they're wanting to depose me every couple of months. I'm simply saying no, anyone I talked to that's, that has nothing whatsoever to do with this lawsuit, the causes of action in my lawsuit began in 1969 when I was enticed into the Sea Organization and it ended in 1981, or they actually they continue on because you guys have continued to harass me but you...

MIKE: Not us, hey!

ARMSTRONG: No, I'm telling you what I would tell them in deposition, but they don't get anything else, go ahead.

MIKE: Okay, so that, that's fine, we have an agreement on that point.

ARMSTRONG: Right. And you guys also have to have your agreements marked out between yourselves too, like, I don't know who knows I'm involved but, I'll deny it!

MIKE: Okay, well, we haven't said anything either.

ARMSTRONG: Good, Good.

Armstrong was even more direct in discussing the fine points of perjury when speaking with Joey:

ARMSTRONG: OK. What are our conversations, should it come down to it?



JOEY: What do you mean?

ARMSTRONG: What do we talk about. You're deposed. You walk out there, and there's a PI hands you paper, saying you're deposed Jack, and not only that, you're out of the organization. And what do you say in deposition. Well, Armstrong and I talked about this, and he had a whole bunch of ideas about how to infiltrate the communication lines and spread turmoil and disaster, you know! What are we doing here? That's my question, before I tell you my ideas on documents.

\* \* \* \*

ARMSTRONG: OK. So as far as the doc...Let me just say ab, you and I get together, we get together because I have a goal of global settlement. You have felt that the turmoil and abuses and so on have gone on too long... Hence we get together and discuss things. We have not discussed anything about a destruction of the tech, or Scientology is bad, or anything like that. Are we agreed?

JOEY: Yeah.

The evidence shows Armstrong's state of mind, not to be fear, but instead to be of a calculating, aggressive and dishonest character.

The Armstrong case was reviewed by the California Court of Appeal in summer 1991. The Court of Appeal refused to accept the evidence that the Church had discovered after the trial as outlined above, on the technicality that the trial court never got to see it first (an impossibility since it was obtained after the trial). The Court of Appeal upheld Breckenridge's decision on the legal technicality that it believed a

justification defense is available to defend against theft in California. As to the Church's protest to the gratuitous and condemning language of the Armstrong decision, the Court of Appeal ruled there was not a problem of stigmatization because Breckenridge was only reciting Armstrong's purported state of mind.

In December 1986, Armstrong entered into a settlement agreement with the Church. The agreement was designed to resolve all present and future issues between the parties. Armstrong agreed not to insert himself into future legal proceedings regarding the Church absent legal process. Within a short time after receiving the Church's money, however, Armstrong embarked on a course of conduct in direct, intentional violation of that agreement.

Upon entering into the agreement, Armstrong acknowledged that he understood the provisions of the settlement and had received legal advice thereon. Armstrong now states, however, that he found these provisions to be "not worth the paper they were printed on." He now says that he "put on a happy face" and "went through the charade" of signing the settlement agreement. The Church recently sued Armstrong for his blatant disregard of his obligations under the settlement agreement. After a full hearing, in which Armstrong was able to fully air his "justification defense", essentially replaying his 1984 case, another Superior Court Judge was not impressed and slapped Armstrong with a preliminary injunction.

|                   |                 |         |              |
|-------------------|-----------------|---------|--------------|
| Post-It® Fax Note | 7671            | Date    | # of pages ▶ |
| To                | Gerry Armstrong | From    | Geo Abbott   |
| Co./Dept.         |                 | Co.     |              |
| Phone #           |                 | Phone # |              |
| Fax #             | 250/579-5567    | Fax #   | 702/782-2302 |

February 12th and

97

Ms. Cathy Norman  
Church of Scientology of Texas  
2200 Guadalupe  
Austin, TX 78705

By Fax at 512/474-2986  
Hard copy to follow:  
Certified mail RRR

Re: Norman/Branch letter dated October 21, 1996 and a dead agent document ("da doc") of May 10, 1993.

Dear Ms. Norman:

This letter is written on behalf of my friend and neighbor, Gerald Armstrong. The professional advice given to him by me, as reflected hereinafter, represents my best judgments and resulting conclusions on the facts made known and perceived by me.

The judgments and conclusions reached were formed after reasonable inquiry that the allegations made are grounded in fact and warranted by existing law or a good faith argument for the extension, modification, or reversal of law existing in one or more jurisdictions.

On the same bases, and further consistency with Fed. R. Civ. P. Rule 11 please be advised that, to the best of my knowledge, information and belief the actions, demanded of you and your associates are imposed for entirely proper purposes.

You have caused to be transmitted to Craig Branch of the Watchman Fellowship a letter dated October 21, 1996 and a "dead agent document" (herein, sometimes "da doc") dated 10-May-1993, both of which concern Gerald Armstrong and recently received by him. Your letter states that you earlier provided that same da doc to James Walker, also of the Watchman Fellowship.

I am copying the Church of Scientology International, the Religious Technology Center and Scientology's leader David Miscavige because the da doc originated with them. These materials individually and together defame Mr. Armstrong. They contain distortions and lies known to you and your seniors to be distortions and lies, and were created and distributed with malice. Separately and collectively, they constitute libel per se.

98

Ms. Cathy Norman  
February 14, 1997

Page Two

I represent Mr. Armstrong in his effort to correct the wrong done by you, your associates, and your seniors with and through your letter and the subject "dead agent document."

As you and your seniors know, Mr. Armstrong is an expert in the subject of fair game and in the fraudulent representations and history of Scientology. As you know, his testimony has been used in many lawsuits involving people who had been defrauded or "fair gamed" by your organization. Your letter and the da doc are intended to have the effect of destroying Mr. Armstrong's credibility and character and his ability to testify on behalf of fraud and fair game victims.

Another intended effect of these defamatory materials outside of the legal arena is to cause Mr. Armstrong to be rejected by people. As you know, Watchman Fellowship is a Christian research and apologetics organization, and Mr. Armstrong is a fellow believer. Your da doc was also used within the Scientology organization to cause Mr. Armstrong to be wrongly reviled and attacked by Scientologists.

Mr. Armstrong is distressed by this latest incident in your organization's black propoganda campaign. He believes that as long as Scientology continues to fabricate and tell lies about him he is in danger. He wants all of Scientology's fair game activities to end so that he can obtain the peace he and others are due.

The subject da doc was not included in the set of dead agent packs on Mr. Armstrong produced by Scientology in discovery in its litigations against him. For this reason I am copying Mr. Armstrong's former attorney Ford Greene so that he may take whatever action, if any, he may deem appropriate concerning Scientology's withholding of this document.

Demand is hereby made that every document of any kind under the control of any individual staff member or agent of any Scientology corporation or other entity, including all electronic records, pertaining in any way to Mr. Armstrong, be segregated, made safe and not destroyed or altered, nor removed from their present premises.

I have advised Mr. Armstrong that he is free to communicate orally, in writing or by any other legal medium available to him to

99

Ms. Cathy Norman  
February 14, 1997

Page Three

fully correct the lies and distortions in your letter and dead agent document. I have advised him that he is free to communicate to anyone he believes may have been or may be exposed to this black PR, and that he is free to explain why Scientology and its leaders have created and distributed these documents.

I have further advised Mr. Armstrong that Scientology cannot legally prevent him from correcting this libel with threatened enforcement of your organization's "settlement agreement" of December, 1986. Each moment you and your seniors prevent him from telling the truth to whomever he chooses in rejection of your documents' attack on his character you are increasing his damages.

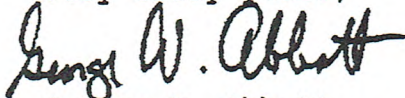
I demand, on his behalf, that you and your seniors immediately publish a full retraction of each and every lie and distortion in these documents. I further demand that you and your seniors immediately provide me with a complete list of each and every person, agency, organization or other entity inside or outside of Scientology to whom this document was at any time given or shown. Since this document was apparently created in 1993, it was not created for the purpose of sending to Mr. Branch and Mr. Walker in 1996, but for a far wider distribution.

Finally this is a demand for \$900,003.00 to compensate Mr. Armstrong for the damage you and your organization have done — up to the date of this demand — by the writing and dissemination of your letter and this document to the Watchman Fellowship.

If an understanding cannot be reached, and correction of this situation cannot be achieved, Mr. Armstrong is prepared to file a lawsuit for, inter alia, defamation, intentional infliction of emotional distress, and civil rights violations against you and all other persons, organizations or entities who participated in the writing and dissemination. He is prepared, also, to file a parallel and complementary action pursuant to the provisions of the Racketeering and Corrupt Influences Act.

I trust that you and your seniors will do the right thing.

Very truly yours,



George W. Abbott

cc: Page following

100

Ms. Cathy Norman  
February 14, 1997

Page Four

cc: Ford Greene, Esquire  
cc: Church of Scientology International  
cc: Religious Technology Center  
cc: David Miscavige

Ford Greene, Esquire  
711 Sir Francis Drake Boulevard  
San Anselmo, CA 94960

Church of Scientology International  
6331 Hollywood Boulevard, Ste. 1200  
Los Angeles, CA 90028

Religious Technology Center  
1710 Ivar Avenue, Ste. 1100  
Los Angeles, CA 90028

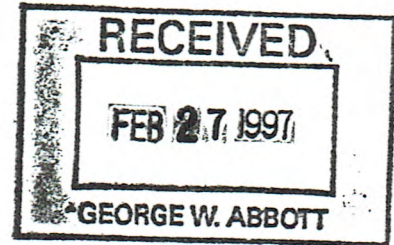
David Miscavige  
1710 Ivar Avenue, Ste. 1100  
Los Angeles, CA 90028

101

WILSON CAMPILONGO LLP  
115 SANSOME STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94104  
(415) 391-3900  
TELECOPY (415) 954-0938

ANDREW H. WILSON

February 25, 1997



George Abbott, Esq.  
2245-B Meridian Blvd.  
P.O. Box 98  
Minden, Nevada 89423-0098

Re: Church of Scientology v. Armstrong  
Our File No. SCI02-003

Dear Mr. Abbott:

This firm represents the Church of Scientology International ("CSI") in the referenced matter and has been asked to respond to your letter dated, curiously, "February 12th and 14th, 1997."

Although you say that you conducted a "reasonable inquiry" that the allegations you made are grounded in fact, it is quite apparent that you are ignorant of the lengthy history of the dispute between my client and Mr. Armstrong. Although you allude to it, you are unaware or have ignored the import and effect of the settlement agreement (the "Agreement") which they entered into on December 8, 1986. As you should know from your reasonable investigation, Mr. Armstrong raised every conceivable challenge to the Agreement in the referenced action, including the argument that the Agreement could not prohibit him from responding to allegations made by CSI concerning him.

All of Mr. Armstrong's arguments were rejected each time he made them. Armstrong was first enjoined from violations of the Agreement by the Hon. Michael Dufficy in March of 1992 by way of a temporary restraining order. The Hon. Ronald Sohigian in May, 1992, entered a preliminary injunction to similar effect. Judge Sohigian's order was appealed by Armstrong and affirmed in an opinion which dismissed Armstrong's arguments out of hand. In January of 1996, a Judgement of Permanent Injunction (the "Injunction") was entered against Armstrong in Marin County Superior Court following an order entered by the Hon. Gary Thomas summarily adjudicating various causes of action, including one for injunctive relief. It would behoove you to review these orders, and the papers in support and in opposition to the motions which resulted in those orders before advising Mr. Armstrong that "...he is free to communicate orally, in writing or by any other legal means available to him to fully correct..." alleged lies and distortions. The fact is that Mr. Armstrong is not free to do that. Mr. Armstrong's sole remedy is to seek appropriate relief for alleged defamatory statements.

The problem, of course, with that approach is that Mr. Armstrong will never be able to prove defamation. I have reviewed the documents which you allege are defamatory and am unable to find any statement concerning Mr. Armstrong, much less one which is defamatory. Please enlighten me

as to which statements you contend are defamatory, and why you make that contention. Please also inform me exactly how Mr. Armstrong became aware of the alleged defamatory communication and what persons Mr. Armstrong believes he needs to communicate with in order to correct these alleged defamatory statements.

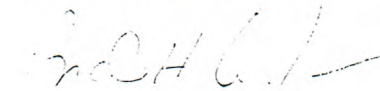
Your letter refers to Mr. Armstrong as your "friend and neighbor." It is my understanding that Mr. Armstrong currently resides in San Anselmo, California. In fact, I gave Mr. Armstrong notice on Friday, February 14 by telephone to his residence in San Anselmo (Telephone No. 456-8450) of an ex parte application for the issuance of an order to show cause re contempt. The telephone was answered by an answering machine which played a recording of the voice of Lorien Phippany which stated "Please leave a message for either Jerry or Lorien." As I was drafting this letter, I again called that number and heard exactly the same message. If Mr. Armstrong is currently residing in Minden, Nevada or its environs, I would appreciate your letting me know.

For your information, the ex parte application was successful. I enclose the application, supporting papers, and the order to show cause which Judge Thomas issued. You should find it interesting reading. I believe that my client has shown remarkable restraint in its dealing with Mr. Armstrong in enforcing the Judgment. It is apparent that Mr. Armstrong has a pathological inability to remain disconnected from CSI. This inability manifests itself in various provocations, such as the letter to the Los Angeles City Council which you must have discovered in the course of your reasonable investigation. CSI has "turned the other cheek" when it could, given the pathetically ineffectual nature of most of these provocations. However, it could not sit idly by in the face of Mr. Armstrong's direct communication with a sitting United States District Judge.

It is apparent to me that you and Mr. Armstrong are colluding to create a defense to a charge of contempt against Mr. Armstrong, as evidenced by your statement that you have advised Mr. Armstrong that he is free to communicate with anyone to correct lies which have been told about him. Before you provide Mr. Armstrong with such a purported "advice of counsel" defense, you should carefully consider whether you have a reasonable basis for such advice, whether you are subjecting yourself to liability for your uninformed advice or, even worse, for your collusion with Armstrong to avoid the Court's directive, and whether you are ultimately willing to be yet another victim of Mr. Armstrong's pathology.

Very truly yours,

WILSON CAMPILONGO LLP



Andrew H. Wilson



HUBBARD COMMUNICATIONS OFFICE  
Saint Hill Manor, East Grinstead, Sussex.

Central Orgs.  
Franchise

HCO BULLETIN OF MAY 11, AD13

103

ROUTINE 3  
HEAVEN

Well, I have been to Heaven.

And I've found that Scientologists have been to Heaven.

And that everybody has evidently been to Heaven.

The Goals Problem Mass implants, which are the apparent basic source of aberration and human travail, which begin with the goal To Forget, were cynically done "in Heaven".

For a long while, some people have been cross with me for my lack of co-operation in believing in a Christian Heaven, God and Christ. I have never said I didn't disbelieve in a Big Thetan but there was certainly something very corny about Heaven et al. Now I have to apologize. There was a Heaven. Not too unlike, in cruel betrayal, the heaven of the Assassins in the 12th Century who, like everyone else, dramatized the whole track implants - if a bit more so.

Yes, I've been to Heaven. And so have you. And you have the pattern of its implants in the HCO Bulletin Line Plots. It was complete with gates, angels and plaster saints - and electronic implantation equipment. So there was a Heaven after all - which is why you are on this planet and were condemned never to be free again - until Scientology.

Before you went to Heaven you were not really very bad or very good, but you didn't think you had lived only once and you had a good memory and knew who you were and enjoyed life. Afterwards ---

The symbol of the crucified Christ is very apt indeed. It's the symbol of a thetan betrayed.

DATA

Additional work and possible corrections need to be done but this is the gist of the matter:

The implants are electronic in nature and follow the pattern of the G.P.M.

The implant station existed on the order of magnitude of 43,000,000,000,000 years ago. (The dates may be part of the implants but do not appear so at this time. However, a possibility of correction of dates is reserved).

Some have been through it once, some more than once.

The first time I arrived and the moment of the implant To Forget was dated at 43,891,832,611,177 years, 344 days, 10 hours, 20 minutes and 40 seconds from 10:02½ PM Daylight Greenwich Time May 9, 1963. The second series was dated to the moment of the implant To Forget as 42,681,459,477,315 years, 132 days, 18 hours, 20 minutes and 15 seconds from 11:02½ PM Daylight Greenwich Time May 9, 1963.

There are no earlier such implants. There are no later such implants.

I evidently have a goal of my own at 305 Trillion (U.S.) years and an actual GPM, all of which pulled into this 43 Trillion year implant.

ADDITIONAL E-METER DATA

Five goals in all may be common to both sequences. The first 3 of the 5 are the same. There are no implants as to time according to the meter. There are no numbers in any implants, but dates rocket read. Implanting was done on a non-visible thetan, but arrival was in a ship in a doll body according to the meter. Star of Bethlehem, Pearly Gates, The Way out of the Universe, all of which RR on the meter, give a clue to recruitment actions.

There was no purpose in giving a particular thetan a particular goal. Planning had no individualization.

A preclear's overts should be scouted as to why these implants keyed in, Fac 1, hypnotism, etc. But doubtful if any preclear did this type of implanting.

The mood is set that thetans are evil, treacherous and bad but this is all part of the implant, not factual.

The earliest point of the series is not known at this writing but possibly contains a recruitment through advertising. The departure method from the series is not fully known yet but probably just abandonment.

The implants were not done in a box or in some trick manner of projection. The scenery is actually there, common Mast Universe space and matter and in the Mast Universe.

The first (43 Trillion) series consists of 29 implanted goals.

The second (42 Trillion) series consists of 21 implanted goals.

The first three goals in both series are the same, To Forget, To Remember and To Go Away. The last goal and one other in both series are the same. The remaining goals are not the same for the two implants.

#### PERSONALLY PERCEIVED DATA.

The pattern of RIs is different for the two series, consisting in the second series of added RIs below the To Have a Goal-ivity and with a different dwindling of adjectives and adverbs, but are otherwise similar.

Both series have the Gates of Heaven visible. The last implant of both consists of "entering" Heaven. The last goal of both is To Be In Heaven.

The gates of the first series are well done, well built. An avenue of statues of saints leads up to them. The gate pillars are surmounted by marble angels. The entering grounds are very well kept, laid out like Bush Gardens in Pasadena, so often seen in the movies. Aside from the implant boxes which lie across from each other on the walk there are other noises and sounds as though the saints are defending and berating. These are unimportant to the incident.

The second series, probably in the same place, shows what a trillion years of overt acts does (or is an additional trickery to collapse one's time). The place is shabby. The vegetation is gone. The pillars are scruffy. The saints have vanished. So have the Angels. A sign on one (the left as you "enter") says "This is Heaven". The right has a sign "Hell" with an arrow and inside the grounds one can see the excavations like archaeological diggings with raw terraces, that lead to "Hell". Plain wire fencing encloses the place. There is a sentry box beside and outside the right pillar. The road "leading up" to the gates is deeply eroded. An effigy of Joseph, complete with desert clothing, is seen approaching the gates (but not moving) leading a donkey which "carries" the original Madonna and child from "Bethlehem". The implanting boxes lie on either side of this "entering" path at path level.

These are the actual ends of the two series. One backs out the gates, of course, from top optterm down, as this is the end. The last two RIs after this last goal say "it is the beginning", "Not the end".

The place, by implant and inference, was supposed to be in the sky like a floating island. Actually it was simply a high place in the mountains of a planet and the gates pathway falls away into a gorge, very eroded and bare by the time of the second implant, but heavily forested and rolling at the time of the first.

The beginnings have not at this writing been so well explored by myself. I have not viewed the second beginning (which says it is the end). However I do know that the second series was done in long square tunnels with the implant boxes, not unlike small P.A. speakers with fretwork fronts, on either side.

The first series actually begins with arrival in a "town" (as everything is backwards to upset the time sense). This "town" consisted of a trolley bus, some building fronts, sidewalks, train tracks, a boarding house, a bistro in a basement where there is a "bulletin board" well lighted, and a BANK BUILDING.

The bank is the key point of interest. It is interesting that we use the word "bank" (taken actually from computerology) to indicate the reactive mind.

This bank building was the on-the-corner old-fashioned granite-like construction, two or three stories high, with the door in the rounded front - even a revolving type door. Inside to the left of the entrance door is a rounded counter. Directly across the room are THE stairs.

The top optterm and terminal of To Forget are at the top of these stairs. The implant then proceeds on down the stairs, step by step, terminals on one side (the left if one were coming up the stairs) the optterms on the other. The first series (43 Trillion) has all its implant impulses at step level. In the second series the boxes are ear high to a man. By the time the gates are arrived at in the first series, the terminals are on the left as you approach the gates, the optterms on the right, having been reversed at some point.

104

The first (43 Trillion) series had very fine marble stairs. The same stairs can be seen in any big well kept railway station. They were complete with a white ball held in a wrought iron stand.

The thetan was taken along apparently on a pole trap to which he was stuck. It does not proceed step by step throughout the whole of the implant series, but after the first flight of stairs, goes a ways, stops while several pairs of RIs fire then goes to a new location.

The place seemed to have people in it. But they are all effigies. These seem radioactive. Contact with them hurts. No living beings are seen. But effigies that look like humans are performing sudden, repetitive actions with long halts between. In the "basement" such dummies are seen operating machinery.

The boarding house at the actual beginning has a dummy guest and a landlady in kimono and wrappers, reading a newspaper.

There are no devils or satans that I saw.

There is a passenger getting on the trolley bus, a "workman" halfway down the first stairs of "To Forget" eating lunch" and in To Be in Heaven a gardener or electrician adjusting an implant box behind a hedge and periodically leaping up and screaming.

The place, so long as the implants remain only partially discharged, seems to swim in white and black electronic masses, but these dissipate as the implants are run out by pattern.

One actually "enters" the "town" as the first action. The implants, however, were rigged to make the gates seem the entrance to the incident. One backs through from the town, into the bank, down the steps and eventually out the Pearly Gates, down the hillside and is there let off and abandoned. One might have had a body or its remains at the town but has none when abandoned.

"TO BE IN HEAVEN" is the last goal implanted in both series. The goal may be slightly differently worded in the second series.

This is not a body building implant, though running it gives somatics to chest.

This is not a GE implant. It is the person's own. Running it, particularly badly brings it down on the body. There are body somatics on it, however, particularly eyes, face, chest, bones.

It apparently only can be run by JM listing and Rocket Reads. One must have the goal to get the RIs.

#### CONCLUSIONS.

The place is so full of lies by implant that the preclear becomes quite confused and this review of the actual data is necessary to a successful navigation. However, it is very easy to read more treachery into it than there is in it - which is enough.

However, as the place existed so long it was in a varying state of repair and some change. (This data on time is subject to review). But in 1.2 Trillion years only some of the implant pattern and mock up had shifted. However, there may have been other stations. Only time and research will really tell that.

One must date the preclear's first (earliest) goal to forget, find how many times the preclear went through it, or some such implant station, date the other times and be careful to run only the first of the first series. As this is basic, as in Prepchecking, Sec Checking and old engram running, it tends to ease up the remainder of the implants. But running the implants later than basic is very much harder on the pc even though it can be done. Wherever one misses an RI in an early implant, that repeated BI when found in a later one tends to be very much more heavily charged.

Re-running any implant that has only been partially run tends to rough up the whole implant and make it hard to run.

#### LUCK

I think we are lucky. It could have been much worse. This Heavenly dream of destruction could have been current, not so long ago. It could have happened often, not just once or twice or three times per pc. But apparently it didn't and is unique in itself.

This is the core of the Reactive Mind. It is all the way South. For here, just once on the whole track, somebody discovered the mechanism of purposes and RIs

105

and utilized them to install religious mania and pin thetans down to "one life" and planets.

The thing was done so well that it has hung up ever since. There are other implants, there are other goals and GPMs, but these are minor and easily found and listed once this key implant series is out of the way.

We were in a position of having an infinite number of pieces to the puzzle. Now we have a finite number which even though very tough are still finite in number. Further, every processing step taken, every RI discharged is a positive gain toward a definite finite result in processing.

Further, we have our hands on an appalling bit of technology where the world is concerned. With rapidity and a Meter it can be shown that Heaven is a false dream and that the old religion was based on a very painful lie, a cynical betrayal.

What does this do to any religious nature of Scientology? It strengthens it. New religions always overthrow the false gods of the old, they do something to better man. We can improve man. We can show the old gods false. And we can open up the universe as a happier place in which a spirit may dwell. What more can you expect? This actually places us far beyond any other beings that are about. It puts us, through increased beingness and a restoration of life, in control of much destiny.

We have now only a few unsolved problems about life, huge though they may be, such as the construction of bodies and how does one establish the character of and communicate, if feasible, with beings who are making trees and insects. There are a few things like these. But I imagine when we finally manage to communicate with beetles under rocks and free them, we'll no doubt find the Creator of Heaven who 43 + Trillion years ago designed and built the Pearly Gates and entrapped us all.

Good Lord, I'd hate to be guilty of that overt. But never mind - you aren't either. That guy is GONE (I hope!)

L. RON HUBBARD

(Note: This HCO Bulletin is based on over a thousand hours of research auditing, analyzing the facsimiles of the reactive mind, and with the help of a Mark V Electrometer. It is scientific research and is not in any way based upon the mere opinion of the researcher. This HCO Bulletin is not the result of the belief or beliefs of anyone. Scientology data reflects long, arduous and painstaking research over a period of some thirty years into the nature of Man, the mind, the human spirit and its relationship to the physical universe. The data and phenomena discovered in Scientology is common to all minds and all men and can be demonstrated on anyone. Truth does not require belief to be truth any more than water requires anyone's permission to run down hill. The data is itself and can be duplicated by any honest researcher or practitioner. We in Scientology seek freedom, the betterment of Man, and the happiness of the individual and this comprises our attitude toward the data found. The data, however, is simply itself, and exists whatever the opinion of anyone may be. The contents of this HCO Bulletin discover the apparent underlying impulses of religious zealotism and the source of the religious mania and insanity which terrorized Earth over the ages and has given religion the appearance of insanity. As the paper is written for my friends it has, of course, a semblance of irreverence).

(Note: All our data on the whole track remains factual and is not taken from any implant. The only error released earlier was the time factors involved in GPMs).

Class III

C O N F I D E N T I A L

RESISTIVE CASES  
FORMER THERAPY

Hypnotism, "psycho" analysis, "psyschiatry" and other implant type therapies often key-in and jam the track.

These characters here, on any other planet and on the whole track dramatize implanting. The "therapy" involved would be a temporary relief brought by suggestion.

The wrong data of the "science" itself operates as a whole track lie. Getting well or able depends on establishing truth. These "scientific" lies are alterations of actual laws.

We often note electronics men have a rough case time. This traces to the lies Man uses for his "electrical science". As the subject is based on false assumptions, it itself tends to aberrate.

Therefore we get out of the road any former "therapy". We can rehab any moment of release in it, handle any overrun, etc.

We also do a new style Remedy B to get old therapies spotted and run back.

- The only cases which hang up are
- (1) Unaudited cases (lies about grades, etc)
  - (2) Drug cases (who seek in processing the delusion or madness which exhilarated them on drugs).
  - (3) Former therapy cases. (In this or past lives.)
  - (4) Out of valence cases.
  - (5) Cases who continue to commit ovents on Scn.
  - (6) Case "audited" with their ruds or grades out.
  - (7) Seriously physically ill cases (where the illness makes too much PTP in PT).

Of all these the former therapy case is apt to be the roughest as any auditing session can be reactively mistaken for the "treatment". The next roughest is the drug case as a false exteriorization often occurs on an enforced basis and may go into restim.

Old therapies include the 2000 yr ago plus or minus Aescupleian drug treatment (hillabore) which produced a convulsion and coma and in which the nut practitioner made up as a God and "visited" the patient in a "dream". This outfit was all over the ancient world.

Also the Christian Church used (and uses) implanting (with a squirrel version of the "7s"). These gangsters were the Nicomidians from lower Egypt who were chased out for criminal practices (implanting officials). They took over the Niocana Creed before the year zero, invented Christ (who comes from the crucifixion in R6 75m years ago) and implanted their way to "power". The original Nicomidians date about 600 BC and people who were Christ data at 75 m years ago.

These were drug "therapies", actually implants.

Some drug takers go plowing back into early implants and drug therapies so the two get crossed up on a case.

To isolate the reason for a highly resistive case or high TA you can assess the above 7 items and get a clue. Don't limit it to this lifetime. And don't do it so as to key the person in hard on things he wasn't in. And don't do it unless the case is very hard to get a gain on.

Engram running of a crude sort can be found hundreds, thousands or billions of years ago and consists if it appears, of an overrun. They didn't know much about it and overran them badly.

Implants, psychoanalysis, psychiatry, hypnotism gets all spangled up with sex as these birds would commonly (and do) stage insane sex scenes. They violate the children and wives of officials even today to produce a degrade and to make a scene so insane that the "patient" if he remembers it really thinks he is insane. And if he tries to tell anybody (or if she tries to tell her husband) it's a prompt mess. So these "practitioners" hide their activities in this fashion.

The trouble with such former "therapies" and electric shock, etc. is that it

- (a) groups track by the command of the practitioner
- (b) appears to be a grouped track because Body Thetans flash their pictures at the moment it happens and so makes multiple pictures and hides the real scene, or
- (c) sends the pc to the start of track WAY back and sticks him there out of PT.

The keynote of piloting through messes like this is to A. Know what kind of a mess it is and B. Don't EVER force a pc back track or into anything he doesn't want to confront easily.

Drugs force the person back into these messes and stick him.

One of these former therapy or drug messes is only hard to untangle because they are full of incredibles. The pc doesn't accept them or just try to see what's in them.

The basic rule in any case is reality is proportional to the amount of charge removed and so Reality can be increased simply by removing charge. Those surges of the needle as well as the EDs of the TA are "charge coming off."

Anything eventually resolves if the pc just keeps on getting charge off.

The earliest charge is the most important.

Charge off the exact grades is the most valuable.

But ANY charge off will make it, even on former "therapi

L. RON HUBBARD

LRH:jpi gn  
Copyright (c) 1968  
by L. Ron Hubbard  
ALL RIGHTS RESERVED

Excerpts from Church of Scientology IRS 1023 Tax Exempt Application

pages taken from the Church of Scientology's Form 1023 Application to the Internal Revenue Service for tax-exempt status, in connection with the settlement of its ongoing litigation with the IRS in 1993.

Much of this information has been covered before or is covered in more detail in the responses to specific subparts of Question 10 that follow. Consider the following:

\* The decision in "**Gerry Armstrong as a CID operative**" **Gerry Armstrong's** case is one of those described in detail in response to Question 10.e.ii. **Armstrong's** fanatical hatred of Scientology ingratiated him with the LA CID and earned him the status of IRS operative in an unlawful scheme to infiltrate and destroy the Church through, among other things, the seeding of Church files with forged or manufactured documents. **Armstrong** was a link between the CID and Michael Flynn, whose multi-jurisdictional litigation campaign against Scientology was encouraged and assisted by the CID. (See pages 10-8 to

10-16 of our response to Question 10 of your second series of questions). The allegations, first manufactured by **Armstrong** and **Flynn**, have been adopted and parroted by many of the other tort litigants whose cases are described in the response to Question 10.e(i). In exchange, **Gerry Armstrong** has been insulated from liability for his theft of Church documents and encouraged to continue and to expand his nefarious efforts.

.....

Church of Scientology v. Gerald Armstrong:

We have included some background information here and an epilogue to the decision in question. That is because the Service has continuously thrust the **Armstrong** case at us, demanding an explanation. The **Armstrong** case decision was so inflammatory and intemperate that it was used to stigmatize the Church in the legal arena and make other outrageous decisions possible. As we shall demonstrate below, all this decision ever involved was **Armstrong's** state of mind, which subsequently obtained evidence proved conclusively to be one sordid, sado-masochistic nightmare. Furthermore, **Armstrong's** state of mind horror stories have fallen on deaf ears in recent litigation. Relying on **Armstrong** or the **Armstrong** decision is wholly unjustified.

During the later years of his tenure as an employee of the



111

Church, **Gerald Armstrong** was placed in charge of a huge quantity of documents that belonged to Mr. Hubbard that contained private and personal information regarding Mr. Hubbard. Part of his duties included research to support the work of an author who had been retained to write an authorized biography of Mr. Hubbard.

In late 1981 after the initial clean out of the higher levels of the Guardian's Office, and when investigations were turning toward identifying those in alliance or sympathy with the GO, **Armstrong** suddenly vacated Church premises and left its employ, taking with him huge numbers of confidential documents that belonged to Mr. Hubbard or his wife which the Church was holding as bailee. It was no coincidence that **Armstrong** left at that time because he had repeatedly expressed his ambition to join the GO and work in Bureau 1 (Information Bureau), the same area of GO that had been responsible for the criminal acts of the 70's. **Armstrong** also had been a long-time friend and confidant of Laurel Sullivan. Just prior to the take over the GO taking place, Sullivan had made a proposal to place convicted GO members into corporate positions of control throughout the top of the ecclesiastical hierarchy. She was also found to be spying on the CMO for the GO during the early days of the CMO's investigation into the GO. **Armstrong** assisted and supported Sullivan in her efforts.

In the summer of 1982 the Church received evidence that **Armstrong** had stolen thousands of documents from archives when he left the Church. Church counsel wrote to **Armstrong**, demanding that he return them. **Armstrong** denied the theft. Once the demand for return of documents was made, **Armstrong** turned the stolen documents over to **Michael Flynn**, with whom **Armstrong** decided he could make a lot of money.

In August 1982, the Church sued **Armstrong** for conversion, breach of fiduciary duty and confidence, and invasion of privacy based on **Armstrong's** theft of extensive amounts of private papers owned by the Church or the Hubbards. The Church sought return of the papers and the imposition of a constructive trust over them, and any proceeds derived from them, as well as preliminary and permanent injunctive relief against dissemination or disclosure of the private documents.

In September 1982, **Armstrong**, represented by **Flynn**, answered the complaint and raised the defense that he was justified in stealing the documents entrusted to him as a fiduciary because he wished to make public information about Mr. Hubbard and the Church out of fear for his safety and well-being. His defense was stricken on four different occasions by three different judges.

In April 1984, the case was assigned for trial before Judge Paul Breckenridge, Jr. At that time, the Church presented motions in limine to prevent **Armstrong** from introducing the stolen,

confidential documents since their introduction into evidence would vitiate the very rights of privacy the action sought to protect. The Court not only allowed **Armstrong** to introduce the confidential documents, but also allowed him to raise his four-times stricken defense with a new perverted twist. He would not have to prove there was anything to fear from the Church, but only his state of mind when he stole the documents. The Church was completely ambushed in the trial by these documents, as in most cases **Armstrong** had stolen the only copy that existed. Then, after he and **Flynn** had ample time to prepare their case from them, the documents were placed under seal in the Court. Although the inflammatory allegations that **Armstrong** made and purported to support with these documents could have been shown to be false or grossly distorted by other evidence, the Church had no chance to prepare and put on that evidence before being hit with the documents in court.

During the trial, **Armstrong** presented testimony from numerous witnesses who testified for the purpose of establishing **Armstrong's** supposed "state of mind" with regard to his alleged justification for stealing the documents. Each of the witnesses was hostile to the Church and, in fact, was a plaintiff against or taking a position adverse to the Church in other litigation in which **Flynn** was the counsel. Each witness gave general testimony about his or her own viewpoint on relationships with the Church in an effort to bolster **Armstrong's** state of mind justification defense.

The Court did not allow the Church to put on evidence to rebut the testimony of those witnesses. The Court also declined to allow the Church to put on evidence explaining the confidential documents and precluded the Church's proffered rebuttal evidence on the ground that the adverse testimony was admitted only for the purpose of establishing **Armstrong's** state of mind and not for the truth or falsity of the matter testified about.

On July 20, 1984, Judge Breckenridge issued a Statement of Intended Decision which became final a month later, which held that the Church had "made out a prima facie case of conversion.... breach of fiduciary duty, and breach of confidence" (as the former employer who provided confidential materials to its then employee for certain specific purposes, which the employee later used for other purposes to employer's detriment). Judgment, however, was entered in favor of **Armstrong**. The Statement of Decision adopted as the facts of the case the allegations which **Armstrong** had made in his trial brief. These allegations included the statements on which **Armstrong** premised his justification defense; i.e., that defendant "... became terrified and feared that his life and the life of his wife were in danger, and he also feared he would be the target of costly and harassing lawsuits." The judge went on to pontificate on the psychological mind-set of not only Mr. Hubbard, but Scientology

at large. The only lawsuit that there was to fear was the one that was ultimately filed for return of the stolen documents. It never would have been brought had **Armstrong** voluntarily returned the documents when asked, despite the theft.

The IRS CID, however, absorbed Breckenridge's findings as the definitive statement of what Scientology is, and used this decision and the Flynn witnesses who testified at the trial as the nucleus of their investigation. The Church tried repeatedly to explain to the IRS that the **Armstrong** decision was nothing more than a statement concerning Armstrong's state of mind. The CID and EO weren't interested, as they found in **Armstrong** a kindred spirit who echoed their own sentiments.

They therefore embraced **Armstrong** and the **Flynn** witnesses and used their fabrications as the basis for their investigations and denials of exemption.

Evidence found after the **Armstrong** trial proves not only that **Armstrong** never was afraid of the Church as he claimed at trial,

March 6, 1997

David Miscavige  
RTC

Dear David:

Not many days ago I was led to somebody's web page which contained a portion of Scientology's IRS form 1023 submitted in 1992. Because of what I found, and other threats from your organization, I left the US.

This 1023 submission made clear to me finally why you have attacked me so violently since the 1986 "settlement," and indeed why you contrived the "settlement" to take the form it did, even though I continued through the years to try to achieve a sane and lasting peace. You believe that your billions and billions depend on my destruction.

Your submission contains the same lies about me, the same attacks in all the black PR/DA packs and court filings that you have had your organization manufacture since the "settlement." Happily, as I'm sure you've noticed I've said before, since you are personally responsible you can do what is necessary to correct it all.

With this letter I am offering you another opportunity to right the wrongs done, to correct the record without further conflict. If you wish to take advantage of this opportunity please immediately communicate your willingness to meet with me by advising my attorney who will forward this letter to you.

Your refusal to participate in such a correction of the record by meeting with me will signal to me your choice to continue your unjustified attack on me and others. In that event I will, for everyone's sake, correct the record in a number of ways and on a number of channels.

1. I will communicate the truth behind the falsehoods in your 1023 submission, both to the IRS and to other US government agencies responsible.
2. I will do what is necessary to bring about a Congressional awareness of the false submission, and what I know about your related activities, including, but not limited to, your attacks on and compromise of my attorney Michael Flynn.
3. I will communicate what I know about the falsehoods underlying your organization's US tax exemption and your related activities to any foreign government in countries where you have used the US tax exemption to forward or defend your activities.
4. I will investigate the truth or falsity of every charge you have made against every other person or entity in your submission(s) to the IRS; e.g., Michael Flynn, Laurel Sullivan, Lawrence Wollersheim, Charlie O'Reilly, Gene Allard, Roxanne Friend, Toby Plevin, FAMCO, CAN.
5. I will do whatever I can to bring the US to reverse its improper decision granting your organization tax exemption.
6. I will seek a Congressional investigation of the IRS's dereliction of duty in its failure to investigate your false responses to its queries, and its granting of tax

David Miscavige  
March 6, 1997  
Page 2 /

exemption, when it had plenty of knowledge of your organization's history of lying and obstruction of justice. I will also seek an answer to why this Great Nation surrendered in the legal and extra legal war you waged with it, and thus abandoned the individual victims it should have defended.

7. I will communicate all these matters to the media so that further investigation can be initiated.

8. I will write and speak publicly and openly on these matters to anyone who cares to hear. I will publish my story and thoughts.

9. I will make this letter public, and on its basis and on the facts known to me I will solicit the funds to prosecute the necessary litigation to correct your wrongs.

10. I will take appropriate legal action against you and the various organization components and persons responsible pursuant to RICO and civil rights statutes. The precedent acts begin with your first post "settlement" threat, and run through every threat, every lie, every effort to have me jailed or otherwise punished or harmed, every obstruction of justice, and every use of the law to harass.

Please do not continue to make the error of believing your own attacks and lies. All your black PR has not damaged my character, although it has damaged the character of its originators. You state in your 1023 submission that your "evidence proved conclusively" [my] "state of mind"..."to be one sordid sado-masochistic nightmare." You know this charge, which, I know you can imagine, tears at my heart, is untrue. You must know as well that this sort of base calumny has no place in your organization's statements to anyone, and certainly not to the IRS or a government.

I believe you have an easy decision. With my help it is entirely possible your organization can retain its tax exempt status, resolve its legal problems, and achieve a sane and lasting peace. If you insist on continuing your attack on me and others, you and your organization will face terrible and perhaps insurmountable difficulties.

I am writing directly to you so that it rests upon you to advise all of Scientology of the position in which you have placed it. All Scientologists will in any case soon learn either that you put them at risk with dishonesty or that you have acted wisely to reduce the needless threat to their survival and happiness.

I have stated in many communications which you have received through these years that I have other things I wish to do in my life, things, very dear, and untearing, to my heart, different from defending myself and others from Scientology. I have no interest, no matter what you think, in bringing you or anyone else to your knees. God does that.

Nevertheless, I cannot ignore the truth that I have been given a role, by your unceasing attacks on me if not by His Guidance, in the resolution of the Scientology conflict. Nor can I ignore the truth that your threats and attacks make my doing those things dear to my heart impossible until the conflict is ended.

I pray that you will see that by my writing you I am still hopeful that you will choose to avoid what will be, no matter what you henceforth do to try to harm me,

116

David Miscavige  
March 6, 1997  
Page 3 /

certain calamity. I pray that you will immediately communicate your willingness to meet with me and my attorney. You may bring with you whatever attorney or attorneys you desire. My attorney will decide on the venue in a discussion with your designated attorney.

I pray to God that we all do the right thing.

Yours urgently,

Gerry Armstrong

GEORGE W. ABBOTT, CHARTERED  
Law Offices

117

March 25, 1997

Certified - RRR

Mr. David Miscavige  
Religious Technology Center  
1710 Ivar Avenue, Suite 1100  
Los Angeles, California 90028

Re: Transmission of Armstrong-Miscavige letter

Dear Mr. Miscavige:

A little more than a fortnight ago my friend and neighbor Gerry Armstrong sent to me a letter dated March 6, 1997 and addressed to you, with a request that I forward it to you with or without adding my own comments, as I should so choose, and as an attorney working in his interests.

In the meantime, much of my available time has been devoted to determining whether I should, at this time, make any personal observations prompted by my reading and rereading — against related, researched facts and conclusions independently reached by me — of the subject Armstrong-Miscavige communication.

My decision is uncomplex. I shall refrain at this time from adding any of my own observations, but two: I trust that you will perceive Gerry's letter to be of signal, even of watershed, importance and that you will proceed to act accordingly. And, it is most devoutly hoped that, from your most high position, you and your key associates will react and respond responsibly and constructively to the end, in Gerry's words and with his help, that those within and without the protracted Scientology-Armstrong history of events will "achieve a sane and lasting peace."

In the fourth full paragraph of Mr. Armstrong's March 6, 1997 letter we find these words: "If you wish

118

Mr. David Miscavige  
March 25, 1997  
Page Two

to take advantage of this opportunity please immediately communicate your willingness to meet with me by advising my attorney who will forward this letter to you." I, of course, am that attorney.

On the foregoing but with a slight modification (underlined) "If you wish to take advantage of this opportunity, or if you do not, please immediately communicate your willingness or unwillingness to meet with me by advising my attorney who will forward this letter to you."

I shall construe "immediately" to embrace seven (7) calendar days from the date of receipt in your office of this (Abbott) letter with its enclosed (Armstrong) letter, as evidenced by an executed return receipt.

I look forward to a timely and meaningful response.

Yours constructively, and professionally,

  
George W. Abbott

Enclosure

cc: Gerald Armstrong



GEORGE W. ABBOTT, CHARTERED  
Law Offices

119

May 5, 1997

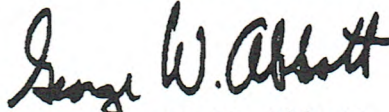
Mr. David Miscavige  
Religious Technology Center  
1710 Ivar Avenue, Suite 1100  
Los Angeles, California 90028

Dear Mr. Miscavige:

Mr. Gerald Armstrong has asked that I pass on to you by FAX the documents sent to you originally by certified mail on March 25, 1997, but returned unclaimed, viz, [1] Abbott - Miscavige, letter (2 pps.) dated March 25, 1997; and [2] Armstrong - Miscavige letter (3 pps.) dated March 6, 1997.

It is the request of Mr. Armstrong that you be asked to respond to his letter by Facsimile to this office on or before close of business, Friday, May 9, PDT. Otherwise it is Gerry's intention to commence the ten-point program outlined in his letter of March 6.

Very truly yours,

  
George W. Abbott

GWA:ma

Enclosure

120

WILSON CAMPILONGO LLP  
116 SANSOME STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94104  
(415) 391-3900  
TELECOPY (415) 964-0938

ANDREW H. WILSON

May 8, 1997

VIA FACSIMILE (702) 782-8362

George Abbott, Esq.  
2245-B Meridian Blvd.  
P.O. Box 98  
Minden, Nevada 89423-0098

Re: Gerry Armstrong  
Our File No. SCI02-003

Dear Mr. Abbott:

I write in reply to your letter of May 5, 1997 which, as was your last letter, referred to me for reply. As I am sure you are aware, I have represented the Church of Scientology ("CSI") since early 1992 in its efforts to enforce the Settlement Agreement of December 6, 1986.

My representation naturally includes dealing with the various threats and demands which your client and friend has made in the past five years. His letter of March 6, 1997, is not the first letter of this type that we have received. I trust that you have familiarized yourself with that prior correspondence, so I will not waste time here by discussing it in detail. It suffices to note that all of this correspondence follows an all too familiar pattern - a regurgitation of Mr. Armstrong's view of the Settlement Agreement, its alleged unenforceability, CSI's alleged persecution of Mr. Armstrong, Mr. Armstrong's professed desire to make peace with CSI, threats to expose certain unspecified facts which Armstrong hints would damage CSI, allusions to Mr. Armstrong's ability to benefit CSI ("With my help, it is entirely possible your organization can retain its tax exempt status..."), underlying all of which is the odor of attempted blackmail.

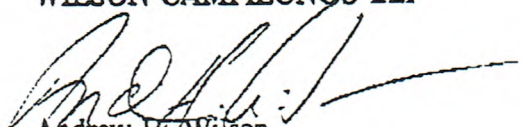
Mr. Armstrong professes interest in "a sane and lasting peace." That is just what CSI bargained and paid for in the 1986 Settlement and is just what its efforts to enforce that agreement have been aimed at. Since my involvement began in early 1992, I have been witness to a multitude of actions on the part of Mr. Armstrong which were clear attempts to provoke action by CSI. Despite these clear provocations, CSI has acted with remarkable restraint, and has only sought relief for the most egregious of Mr. Armstrong's actions.

121

A meeting between Messrs. Miscavige and Armstrong would serve no purpose. Mr. Miscavige has no involvement with Mr. Armstrong and has not even seen him since 1981. This matter is between Armstrong and CSI. We seek nothing more than the peace we have already bargained for. If Mr. Armstrong would simply obey the Court's permanent injunction, there would be peace. Armstrong, on the other hand, while he professes only a desire for peace, actually wants to ignore his obligations under the Settlement Agreement and the Court's injunctive order. If he wants peace, he can abide by that agreement, and there is no need for any meeting. If he wants something other than that, CSI is unwilling to negotiate. However, in the interests of courtesy, I will be happy to meet with either you or Mr. Armstrong, or both of you, on CSI's behalf and to discuss whatever is appropriate.

Very truly yours,

WILSON CAMPILONGO LLP

  
Andrew R. Wilson

AHW-1978.LTR

1 William T. Drescher  
23679 Calabasas Road, Suite 338  
2 Calabasas, California 91302  
(818) 591-0039

3 Michael Lee Hertzberg  
4 740 Broadway  
New York, New York 10003  
5 (212) 982-9870

6 Attorneys for Non-Party  
7 DAVID MISCAVIGE

8  
9 UNITED STATES DISTRICT COURT  
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
11

12 CHURCH OF SCIENTOLOGY  
INTERNATIONAL, a California Non-  
13 Profit Religious Organization,

) CASE NO. CV 91-6426 HLH(Tx)  
)  
) DECLARATION OF DAVID  
) MISCAVIGE  
)

14  
15 Plaintiff,

16  
17 vs.

18 STEVEN FISHMAN and UWE GEERTZ,  
19

20 Defendants.  
21

22  
23 I, DAVID MISCAVIGE, declare and say:

24 1. I am over 18 years of age and a resident of the State  
25 of California. I have personal knowledge of the matters set  
26 forth in this declaration and, if called upon as a witness I  
27 could and would competently testify thereto.

28 2. I am not a party in the above-referenced case, nor am I

1           52. Next, I was subjected to a two and a half year criminal  
2 investigation by the Internal Revenue Service. Ironically, the  
3 very people I had kicked out of the GO exploited the government's  
4 concern over acts the GO had committed to make me the target of  
5 an investigation based on the very acts they had committed. Of  
6 course they didn't make their previous associations with the GO  
7 known. In fact, the IRS's Criminal Investigation Division  
8 ("CID") was based on specious allegations filed in civil  
9 litigation and spread in the media. The thrust of the  
10 investigation was an alleged criminal conspiracy begun in 1966 to  
11 impede the Internal Revenue Service. I was the primary target of  
12 this investigation even though I was only six years old when I  
13 began the "conspiracy."

14           53. The CID's massive investigation was ultimately rejected  
15 outright by the Justice Department. However, the IRS dossier on  
16 me, an accumulation of over 100,000 pages of documents -- the  
17 largest in the Service's history -- was filled with falsehoods  
18 from a handful of bitter former Scientologists and ex-GO like Mr.  
19 Young. It contained the same allegations that have been  
20 repeatedly disproved, but which are nevertheless being made again  
21 in this case.

22           54. For example, Mr. Young repeats the allegations made by  
23 Gerry Armstrong that the Church practices "Fair Game" and that  
24 Gerry Armstrong was in "fear of his life." To bolster the  
25 validity of this allegation, Vaughn Young refers to the  
26 Breckenridge decision. What Mr. Young fails to disclose,  
27 however, is the fact that following that opinion, Armstrong was  
28 proven a liar. In a police-sanctioned investigation, Gerry

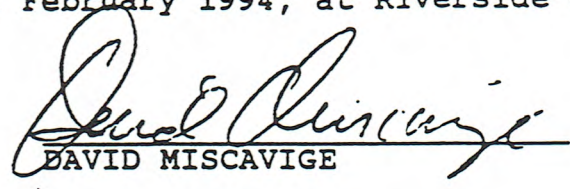
1 Armstrong was captured on video tape acknowledging his real  
 2 motives, namely a plot to overthrow the Church leadership and  
 3 gain control of the Church. On those very video tapes, Armstrong  
 4 acknowledges he not only isn't "afraid," but that he "will bring  
 5 the Church to its knees." While plotting his overthrow attempt  
 6 he gives advice that the Church should be accused of various  
 7 criminal acts. When told no evidence exists to support such  
 8 "charges," he responds, "just allege it." It should be noted  
 9 that while Gerry Armstrong had been an "informant" during the IRS  
 10 criminal investigation, based on these tapes and statements, the  
 11 IRS dropped him as a witness, thereby repudiating his  
 12 credibility. Vaughn and Stacy Young were fully aware of these  
 13 facts as Stacy wrote the cover story in Freedom Magazine that  
 14 exposed Armstrong's plot.

15 55. The steady barrage of such falsehoods poisoned the IRS  
 16 with respect to the Church generally and me personally. Years  
 17 later, IRS Internal Security agent Keith Kuhn filed a declaration  
 18 in several cases, falsely accusing me of threatening another IRS  
 19 agent with whom I had never spoken in my life. That declaration  
 20 was stricken as unsupported and scurrilous, and the IRS was  
 21 ordered by Judge Keller of this Court to pay sanctions for having  
 22 filed it at all. [Ex. B, Order and transcript, Church of  
 23 Scientology of California v. IRS, No. CV 90-5638 WDK (C.D.Cal.)]

24 56. The attempts to harass me in litigation have extended  
 25 to creating not just false allegations, but false documents as  
 26 well. In 1984, a former staff member, who was employed by a  
 27 splinter group that was seeking to pull Scientologists away from  
 28 the Church for the splinter group's profit, created a forged

1 I declare under penalty of perjury under the laws of the  
2 United States of America that the foregoing is true and correct.

3 Executed this 24 day of February 1994, at Riverside County,  
4 California.

5   
6 DAVID MISCAVIGE

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## Scientology's Puzzling Journey From Tax Rebel to Tax Exempt

By DOUGLAS FRANTZ

On Oct. 8, 1993, 10,000 cheering Scientologists thronged the Los Angeles Sports Arena to celebrate the most important milestone in the church's recent history: victory in its all-out war against the Internal Revenue Service.

For 25 years, I.R.S. agents had branded Scientology a commercial enterprise and refused to give it the tax exemption granted to churches. The refusals had been upheld in every court. But that night the crowd learned of an astonishing turnaround. The I.R.S. had granted tax exemptions to every Scientology entity in the United States.

"The war is over," David Miscavige, the church's leader, declared to tumultuous applause.

The landmark reversal shocked tax experts and saved the church tens of millions of dollars in taxes. More significantly, the decision was an invaluable public relations tool in Scientology's worldwide campaign for acceptance as a mainstream reli-

### TAXES AND TACTICS

Behind an I.R.S. Reversal

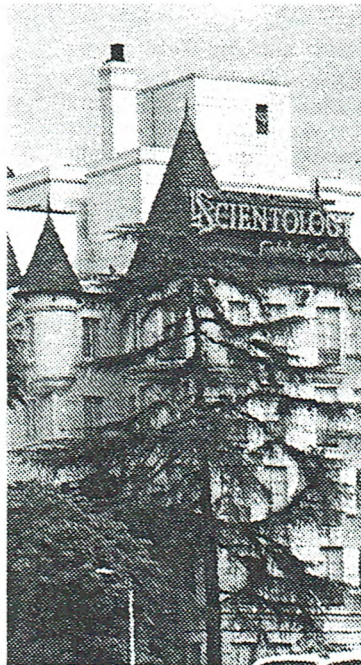
*A special report.*

gion. On the basis of the I.R.S. ruling, the State Department formally criticized Germany for discriminating against Scientologists. The German Government regards the organization as a business, not a tax-exempt religion, the very position maintained for 25 years by the American Government.

The full story of the turnabout by the I.R.S. has remained hidden behind taxpayer privacy laws for nearly four years. But an examination by The New York Times found that the exemption followed a series of unusual internal I.R.S. actions that came after an extraordinary campaign orchestrated by Scientology against the agency and people who work there. Among the findings of the review by The Times, based on more than 30 interviews and thousands of pages of public and internal church records, were these:

¶Scientology's lawyers hired private investigators to dig into the private lives of I.R.S. officials and to conduct surveillance operations to uncover potential vulnerabilities, according to interviews and documents. One investigator said he had interviewed tenants in buildings owned by three I.R.S. officials, looking for housing code violations. He also said he had taken documents from an I.R.S. conference and sent them to church officials and created a phony news bureau in Washington to gather information on church critics. The church also financed an organization of I.R.S. whistle-blowers that attacked the agency publicly.

¶The decision to negotiate with the church came after Fred T. Goldberg Jr., the Commissioner of the Internal Revenue Service at the time, had an unusual meeting with Mr. Miscavige in 1991. Scientology's own version of what occurred offers a remarkable ac-



Jim Wilson/The New York Times

The Church of Scientology's holdings include its Celebrity Center in Los Angeles.

*Continued on Page 20, Column 2*



**TAXES AND TACTICS: Behind an I.R.S. Reversal**

# Scientology's Puzzling Trip From Tax Rebel to Tax Exemption

## Church vs. State

### 1950's

**1954**

The Church of Scientology of California is established by L. Ron Hubbard, a prolific science fiction writer whose preachings form the church's scripture.



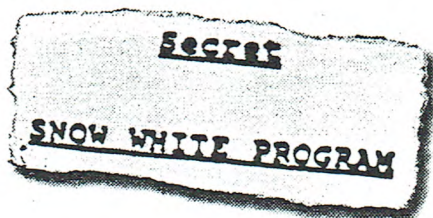
**JAN. 2, 1957** The Internal Revenue Service grants a tax exemption to the Church of Scientology of California.

### 1960's

**JULY 18, 1967** After an audit, the I.R.S. revokes the church's tax exemption, saying that the church's activities were commercial and that it was servicing the private interests of Mr. Hubbard and other practitioners.

### 1970's

**APRIL 28, 1973** Scientology implements a secret program, code named Snow White, in an effort to root out and remove false files about the church and Mr. Hubbard held by governments around the world.



**JULY 7, 1977** F.B.I. raids on Scientology's world headquarters in Los Angeles and offices in Washington discover evidence that its members conspired to infiltrate, burglarize and bug offices of the I.R.S. and Justice Department. A 19-page document seized outlined a plan to sabotage IRS investigations. Eleven Scientologists, including Mr. Hubbard's wife, Mary Sue, eventually went to prison.

### 1980's

**LATE 1984** Stacy B. Young, a Scientology defector, says that she helped create the National Coalition of I.R.S. Whistle-blowers to undermine the agency's credibility. The group's president, Paul J. DesFosses, says Scientology provided substantial financing, but denies that the church ran the group, which helped fuel Congressional hearings in 1989 into accusations of corruption at the I.R.S.

### 1990's

**1990-91** Michael L. Shomers, a former private investigator, says he and a partner investigated I.R.S. officials on behalf of the church, looking for vulnerabilities.

**LATE OCT. 1991** David Miscavige, widely regarded as the leader of the Church of Scientology, has an unusual unscheduled meeting with Fred T. Goldberg Jr., the Commissioner of the I.R.S. Mr. Miscavige offers to negotiate an end to the hostilities. Soon after, Mr. Goldberg appoints a five-person negotiating group to reach a settlement with Scientology.

**AUG. 13, 1993** The I.R.S. agrees to grant tax exemptions to every Scientology entity in the United States. The church files new applications for exemption as part of the agreement.

**SEPT. 10-14, 1993** Two I.R.S. tax analysts write internal memorandums saying that they have been instructed to ignore substantive issues in reviewing the new Scientology applications.

**OCT. 8, 1993** Mr. Miscavige tells 10,000 cheering members in Los Angeles that the exemptions have been granted. "The war is over," he declares.



**OCT. 13, 1993** In Washington, the I.R.S. announces exemptions for about 150 Scientology entities, ending its 25-year battle with the church.

Continued From Page 1

count of how the church leader walked into I.R.S. headquarters without an appointment and got in to see Mr. Goldberg, the nation's top tax official. Mr. Miscavige offered to call a halt to Scientology's suits against the I.R.S. in exchange for tax exemptions.

After that meeting, Mr. Goldberg created a special committee to negotiate a settlement with Scientology outside normal agency procedures. When the committee determined that all Scientology entities should be exempt from taxes, I.R.S. tax analysts were ordered to ignore the substantive issues in reviewing the decision, according to I.R.S. memorandums and court files.

The I.R.S. refused to disclose any terms of the agreement, including whether the church was required to pay back taxes, contending that it was confidential taxpayer information. The agency has maintained that position in a lengthy court fight, and in rejecting a request for access by The Times under the Freedom of Information Act. But the position is in stark contrast to the agency's handling of some other church organizations. Both the Jimmy Swaggart Ministries and an affiliate of the Rev. Jerry Falwell were required by the I.R.S. to disclose that they had paid back taxes in settling disputes in recent years.

In interviews, senior Scientology officials and the I.R.S. denied that the church's aggressive tactics had any effect on the agency's decision. They said the ruling was based on a two-year inquiry and voluminous documents that showed the church was qualified for the exemptions.

Mr. Goldberg, who left as I.R.S. Commissioner in January 1992 to become an assistant secretary at the Treasury Department, said privacy laws prohibited him from discussing Scientology or his impromptu meeting with Mr. Miscavige.

The meeting was not listed on Mr. Goldberg's appointment calendar, which was obtained by The Times through the Freedom of Information Act.

The I.R.S. reversal on Scientology was nearly as unprecedented as the long and bitter war between the organizations. Over the years, the I.R.S. had steadfastly refused exemptions to most Scientology entities, and its agents had focused numerous investigations and audits on the church.

Throughout the battle, the agency's view was supported by the courts. Indeed, just a year before the agency reversal, the United States Claims Court had upheld the I.R.S. denial of an exemption to Scientology's Church of Spiritual Technology, which had been created to safeguard the writings and lectures of L. Ron Hubbard, the late science fiction writer whose preachings form the church's scripture. Among the reasons listed by the court for denying the exemption were "the commercial character of much of

Scientology," its "virtually incomprehensible financial procedures" and its "scripturally based hostility to taxation."

Small wonder that the world of tax lawyers and experts was surprised in October 1993 when the I.R.S. announced that it was issuing 30 exemption letters covering about 150 Scientology churches, missions and corporations. Among them was the Church of Spiritual Technology.

"It was a very surprising decision," said Lawrence B. Gibbs, the I.R.S. Commissioner from 1986 to 1989 and Mr. Goldberg's predecessor. "When you have as much litigation over as much time, with the general uniformity of results that the service had with Scientology, it is surprising to have the ultimate decision be favorable. It was even more surprising that the service made the decision without full disclosure, in light of the prior background."

While I.R.S. officials insisted that Scientology's tactics had not affected the decision, some officials acknowledged that ruling against the church would have prolonged a fight that had consumed extensive Government resources and exposed officials to personal lawsuits. At one time, the church and its members had more than 50 suits pending against the I.R.S. and its officials.

"Ultimately the decision was made on a legal basis," said a senior I.R.S. official who was involved in the case and spoke on the condition that he not be identified. "I'm not saying Scientology wasn't taking up a lot of resources, but the decision was made on a legal basis."

The church's tactics appear to violate no laws, and its officials and lawyers argued strenuously in a three-hour interview at church offices in Los Angeles last month that the exemptions had been decided solely on the merits. They said the church had been the victim of a campaign of harassment and discrimination by "rogue agents" within the I.R.S. Once the agency agreed to review the record fairly, they said, it was inevitable that the church would be granted its exemptions. "The facts speak for themselves," said Monique E. Yingling, a Washington lawyer who represented the church in the tax case. "The decision was made based on the information that the church provided in response to the inquiry by the Internal Revenue Service."

Church officials and lawyers acknowledged that Scientology had used investigators to look into their opponents, including I.R.S. officials, but they said the practice had nothing to do with the I.R.S. decision. "This is a church organization that has been subjected to more harassment and more attacks certainly than any religion in this century and probably any religion ever, and they have had to perhaps take unusual steps in order to survive," Ms. Yingling said.

## The Origins

# An Expanding Church On a Collision Course

Since its founding in 1950, Scientology has grown into a worldwide movement that boasts eight million members, although defectors say the number is much smaller. The church, which has vast real estate holdings around the world and operates a yacht based in the Caribbean, describes itself as the only major new religion to have emerged in the 20th century.

Its founder, Mr. Hubbard, asserted that people are immortal spirits who have lived through many lifetimes. In Scientology teachings, Mr. Hubbard described humans as clusters of spirits that had been trapped in ice and banished to Earth 75 million years ago by Xenu, the ruler of the 26-planet Galactic Confederation.

Scientology describes its goal as "a civilization without insanity, without criminals and without war, where the able can prosper and honest beings can have rights, and where Man is free to rise to greater heights." To reach those heights, Scientologists believe, each individual must be "cleared" of problems and afflictions through a series of counseling sessions known as "auditing." The sessions are performed by a trained auditor assisted by a device similar to a lie detector, known as an E-meter.

Although Scientology's complicated finances make a total estimate difficult, records on file at the I.R.S. indicate that in the early 1990's the church was earning about \$300 million a year from auditing fees, the sale of Scientology literature and recordings, management services and the franchising of its philosophy. Church officials said those figures were higher than actual earnings.

The mother church, the Church of Scientology of California, was established by Mr. Hubbard in Los Angeles in 1954. Three years later, it was recognized as tax exempt by the I.R.S. But in 1967, the agency stripped the church of its exemption.

In its revocation letter, the agency said that Scientology's activities were commercial and that it was being operated for the benefit of Mr. Hubbard, a view supported by the courts several times in the ensuing 25 years. The church ignored the action, which it deemed unlawful, and withheld taxes.

The I.R.S. put Scientology on its hit list. Minutes of I.R.S. meetings indicate that some agents engaged in a campaign to shut down Scientology, an effort that church officials cite as evidence of bias. Some of the tactics led to rebukes by judges, including a 1990 ruling in Boston that criticized the I.R.S.

for abusive practices in seeking access to church records.

Scientology retaliated. In 1973 the church embarked on a program code named Snow White. In a document labeled "Secret," Mr. Hubbard outlined a strategy to root out all "false and secret files" held by governments around the world regarding Scientology. "Attack is necessary to an effective defense," Mr. Hubbard wrote.

Snow White soon turned sinister. Under the supervision of Mr. Hubbard's third wife, Mary Sue, Scientologists infiltrated the Department of Justice and the I.R.S. to uncover information on Mr. Hubbard. They broke into offices at night and copied mountains of documents. At one point, an electronic bugging device was hidden inside an I.R.S. conference room the day before a meeting about Scientology.

Critics say those actions fell under a church doctrine that Mr. Hubbard called the Fair Game policy. Mr. Hubbard wrote that church enemies might "be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. May be tricked, sued or lied to or destroyed."

The conspiracy was uncovered in 1977, and Mrs. Hubbard and 10 others were sentenced to prison. Mr. Hubbard was named an undicted co-conspirator because investigators could not link him to the crimes.

The church promised to change its ways. Scientologists said that members who had broken the law had been purged, including Mrs. Hubbard, and that the church had been restructured to protect against a recurrence. The Fair Game policy, they said, has been misinterpreted by courts and critics.

"There is nothing like that," said Elliot J. Abelson, the church's general counsel. "It doesn't happen."

## The Covert War Whistle-Blowers And 'Vulnerabilities'

But interviews and an examination of court files across the country show that after the criminal conspiracy was broken up, the church's battle against the I.R.S. continued on other fronts. When Mr. Hubbard died in January 1986, his opposition to taxes lived on among the new generation of leaders, including Mr. Miscavige, a second-generation Scientologist.

Part of the battle was public. A leading role was played by the National Coalition of I.R.S. Whistle-blowers, which Scientology created and financed for nearly a decade.

On the surface, the coalition was like many independent groups that provide support for insiders who want to go public with stories of corruption. But Stacy B. Young, a senior

Scientology staff member until she defected in 1989, said she had helped plan the coalition as part of Scientology's battle against the I.R.S. in late 1984 while she was managing editor of the church's Freedom Magazine.

"The I.R.S. was not giving Scientology its tax exemption, so they were considered to be a pretty major enemy," Ms. Young said. "What you do with an enemy is you go after them and harass them and intimidate them and try to expose their crimes until they decide to play ball with you. The whole idea was to create a coalition that was at arm's length from Scientology so that it had more credibility."

Ms. Young said she had recruited Paul J. DesFosses, a former I.R.S. agent who had spoken out against the agency, to serve as the group's president. Mr. DesFosses acknowledged that Scientology had provided substantial financing, but he denied that the church had created or run the coalition. "We got support from lots of church groups, including the Church of Scientology," Mr. DesFosses said in a recent interview.

The coalition's biggest success came in 1989 when it helped spark Congressional hearings into accusations of wrongdoing by I.R.S. officials. Using public records and leaked I.R.S. documents, the coalition showed that a supervisor in Los Angeles and some colleagues had bought property from a company being audited by the agency. Soon after the purchase, the audit was dropped and the company paid no money.

Kendrick L. Moxon, a longtime church lawyer, acknowledged that the coalition had been founded by Freedom Magazine. He said its work was well known and part of a campaign by Scientology and others to reform the I.R.S.

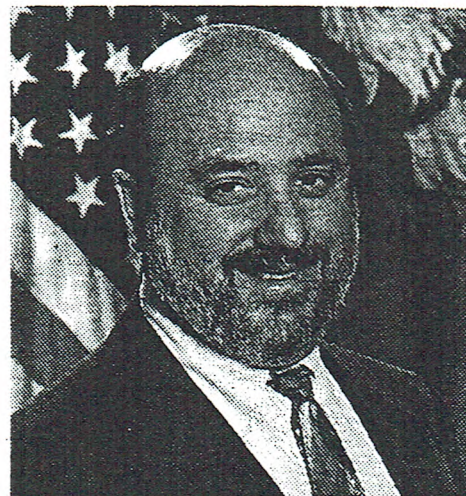
The church's war had a covert side, too, and its soldiers were private investigators. While there have been previous articles about the church's use of private investigators, the full extent of its effort against the I.R.S. is only now coming to light through interviews and records provided to The Times.

Octavio Pena, a private investigator in Fort Lee, N.J., achieved a measure of renown in the late 1980's when he helped expose problems within the I.R.S. while working on a case for Jordache Enterprises, the jeans manufacturer.

In the summer of 1989, Mr. Pena disclosed in an interview, a man who identified himself as Ben Shaw came to his office. Mr. Shaw, who said he was a Scientologist, explained that the church was concerned about I.R.S. corruption and would pay \$1 million for Mr. Pena to investigate I.R.S. officials, Mr. Pena said.

"I had had an early experience with the Scientologists, and I told him that I didn't feel comfortable with him, even though he was willing to pay me \$1 million," Mr. Pena said.

Scientology officials acknowledged that



Department of the Treasury

### THE COMMISSIONER

Fred T. Goldberg Jr. led the I.R.S. when it opened talks with Scientology.

Mr. Shaw had worked for the church at the time, but they scoffed at the notion that he had tried to hire Mr. Pena. "The Martians were offered \$2 million; that's our answer," said Mr. Moxon, whose firm often hired private investigators for the church.

Michael L. Shomers, another private investigator, said he had shared none of Mr. Pena's qualms, at least initially.

Describing his work on behalf of Scientology in a series of interviews, Mr. Shomers said that he and his boss, Thomas J. Krywucki, worked for the church for at least 18 months in 1990 and 1991.

Working from his Maryland office, he said, he set up a phony operation, the Washington News Bureau, so he could pose as a reporter and gather information about church critics. He also said he had infiltrated I.R.S. conferences to gather information about officials who might be skipping meetings, drinking too much or having affairs.

"I was looking for vulnerabilities," Mr. Shomers said.

Mr. Shomers said he had turned over information to his Scientology contact about officials who seemed to drink too much. He also said he had once spent several hours wooing a female I.R.S. official in a bar, then had provided her name and personal information about her to Scientology.

In one instance, information that Mr. Shomers said he had gathered at an I.R.S. conference in the Poconos was turned over to an associate of Jack Anderson, the columnist, and appeared in one of Mr. Anderson's columns criticizing top I.R.S. managers for high living at taxpayers' expense.

Mr. Shomers said he had received his instructions in meetings with a man who identified himself as Jake Thorn and said he



Church of Scientology

### THE CHURCH LEADER

David Miscavige, Scientology's leader, proposed a deal to end the tax war.

was connected with the church. Mr. Shomers said he believed the name was a pseudonym.

Mr. Shomers said he had looked into several apartment buildings in Pennsylvania owned by three I.R.S. officials. He obtained public files to determine whether the buildings had violated housing codes, he said, and interviewed residents looking for complaints, but found none.

In July 1991, Mr. Shomers said, he posed as a member of the I.R.S. whistle-blowers coalition and worked with a producer and cameraman from NBC-TV to get information about a conference for senior I.R.S. officials in Walnut Creek, Calif. The producer said that she recalled Mr. Shomers as a representative of the whistle-blowers but had known nothing of his connection to Scientology. The segment never ran.

At one point, Mr. Shomers said, he slipped into a meeting room at the Embassy Suites, where the conference was held, and took a stack of internal I.R.S. documents. He said he had mailed the material to an address provided by his church contact.

Mr. Krywucki acknowledged that he had worked for Scientology's lawyers in 1990 and 1991, though he declined to discuss what he had done. He said he would ask the lawyers for permission to speak about the inquiry, but he failed to return telephone calls after that conversation.

It is impossible to verify all of Mr. Shomers's statements or determine whether his actions were based on specific instructions from church representatives. He said he had often been paid in cash and sometimes by checks from Bowles & Moxon, a Los Angeles law firm that served as the church's lead counsel. He said he had not retained any of the paychecks.

Mr. Shomers provided The Times with copies of records that he said he had obtained for the church as well as copies of hotel receipts showing that he had stayed at hotels where the I.R.S. held three conferences, in Pennsylvania, West Virginia and California. He also provided copies of business cards, with fake names, that he said had been created for the phony news bureau in Washington and copies of photographs taken as part of his surveillance work.

One of the I.R.S. officials investigated by Mr. Shomers recalled that a private investigator had been snooping around properties he managed on behalf of himself and two other midlevel agency officials.

The official, Arthur C. Scholz, who has since left the I.R.S., said he had been alerted by tenants that a man who identified himself as a private investigator had questioned tenants about him and the other landlords. He said the tenants had not recalled the man's name but had noted that he was driving a car with Maryland license plates.

"He went to the courthouse and found the properties and then went out banging on doors of these tenants and made a number of allegations dealing with things that were totally bull," said Mr. Scholz, who had no involvement with the I.R.S. review of Scientology and was at a loss to explain why the church would have been interested in him. "I notified the local police about it."

Mr. Shomers, who has since left the private-investigation business, said he was willing to describe his work for the church because he had come to distrust Scientology and because of a financial dispute with Mr. Krywucki.

Mr. Moxon, the Scientology lawyer, said the I.R.S. had been well aware of the church's use of private investigators to expose agency abuses when it granted the exemptions. Mr. Moxon did not deny hiring Mr. Shomers, but he said the activities described by Mr. Shomers to The Times had been legal and proper.

Mr. Moxon and other church lawyers said the church needed to use private investigators to counter lies spread by rogue Government agents.

"The I.R.S. uses investigators, too," said a church lawyer, Gerald A. Feffer, a former deputy assistant attorney general now with Williams & Connolly, one of Washington's most influential law firms. "They're called C.I.D. agents" — for Criminal Investigation Division — "and the C.I.D. agents put this church under intense scrutiny for years with a mission to destroy the church."

A blunt assessment of Scientology's victorious strategy against the I.R.S. was contained in a lengthy 1994 article in International Scientology News, an internally distributed magazine. The article said:

"This public exposure of criminals within the I.R.S. had the desired effect. The Church of Scientology became known across the

country as the only group willing to take on the I.R.S."

"And the I.R.S. knew it," the article continued. "It became obvious to them that we weren't about to fold up or fade away. Our attack was impinging on their resources in a major way and our exposés of their crimes were beginning to have serious political reverberations. It was becoming a costly war of attrition, with no clear-cut winner in sight."

## The Unusual Peace

### After a Meeting, A 180-Degree Turn

Scientology made the initial gesture toward a cease-fire when Mr. Miscavige, the church leader, paid an unscheduled visit to the I.R.S. Commissioner, Mr. Goldberg.

The first full account of that meeting and the events that followed inside the I.R.S. was assembled from interviews, Scientology's own internal account, I.R.S. documents and records in a pending suit brought by Tax Analysts, a nonprofit trade publisher, seeking the release of I.R.S. agreements with Scientology and other tax-exempt groups.

Mr. Feffer, a church lawyer since 1984, said he approached officials at the Justice Department and the I.R.S. in 1991 with an offer to negotiate an end to the dispute.

The church's version of what followed is quite remarkable. Mr. Miscavige and Marty Rathbun, another church official, were walking past the I.R.S. building in Washington with a few hours to spare one afternoon in late October 1991 when they decided to talk to Mr. Goldberg.

After signing the visitor's log, the two men asked to see the Commissioner. They told the security guard that they did not have an appointment but were certain Mr. Goldberg would want to see them. And, according to the church account, he did.

Mr. Goldberg said he could not discuss the meeting, although a former senior official confirmed that it had occurred. An I.R.S. spokesman said it would be unusual for someone to meet with the Commissioner without an appointment.

Mr. Miscavige does not grant interviews, church officials said, but Mr. Rathbun said the Goldberg meeting had been an opportunity for the church to offer to end its long dispute with the agency, including the dozens of suits brought against the I.R.S., in exchange for the exemptions that Scientology believed it deserved.

"Let's resolve everything," Mr. Rathbun recalled saying. "This is insane. It's reached insane levels."

Mr. Goldberg's response was also out of the ordinary. He created a special five-member working group to resolve the dispute,

bypassing the agency's exempt organizations division, which normally handles those matters. Howard M. Schoenfeld, the I.R.S. official picked as the committee's chairman in 1991, said later in a deposition in the Tax Analysts case that he recalled only one similar committee in 30 years at the agency.

The I.R.S. negotiators and Scientology's tax lawyers held numerous meetings over nearly two years. An I.R.S. official who participated, and who spoke about the meetings on the condition that his name not be used, described the sessions as occasionally rancorous, but he said the general tone had been far friendlier than over the preceding years.

There are indications that the early momentum was toward resolution. In a letter to Ms. Yingling on Jan. 19, 1992, John E. Burke, the assistant commissioner for exempt organizations, brushed aside what could have been a stumbling block. Ms. Yingling had apparently objected to the potential public disclosure of information that the church was providing to the I.R.S.

Mr. Burke said he did not want the dispute to delay the talks, and he committed the I.R.S. to allowing only a portion of the information to become public. He said the only hitch would come "in the event that our discussions break down, an eventuality that I have no reason to believe will occur."

An I.R.S. official involved in the talks said it was not unusual for the agency to negotiate with a taxpayer over what is made public in an agreement. By agreeing at the outset that information could be withheld, however, the I.R.S. seemed to relinquish a big bargaining chip.

Paul Streckfus, a former official in the I.R.S. exempt organization division, first disclosed the existence of the negotiating committee in a trade journal after the agreement was announced. He said in an interview that creating the group had meant a settlement had almost been preordained.

"Once the I.R.S. decided to set up this rather extraordinary group, the wheels were in motion for a deal," Mr. Streckfus said.

Not even a stinging court decision in favor of the I.R.S. could derail the talks. Midway through the negotiations, in June 1992, the United States Claims Court handed down its decision upholding the I.R.S. denial of a tax exemption for Scientology's Church of Spiritual Technology.

Ms. Yingling, the church's tax lawyer, said the Claims Court ruling ignored the facts and was filled with gratuitous comments. She said the I.R.S. negotiators were fairer in considering the evidence.

A portion of the correspondence between the agency and church from the two years of negotiations was released when the exemptions were granted three and a half years ago. It fills part of a large bookcase in the I.R.S. reading room in Washington.

The central issues are discussed in a series of lengthy answers by Scientology's lawyers

to questions from the I.R.S. The church provided extensive information on its finances and operational structure.

The senior I.R.S. official involved in the negotiations, who asked not to be identified, said the church had satisfied the agency in three critical areas. He said the committee was persuaded that those involved in the Snow White crimes had been purged, that church money was devoted to tax-exempt purposes and that, with Mr. Hubbard's death, no one was getting rich from Scientology.

Ms. Yingling argued that nothing substantive had changed. She said the church had been qualified for tax exemption for years, but biased elements within the I.R.S. had stood in its way. "There were no changes in the operations or activities of the church," she said. "What came about was finally that they looked at all the information and saw that the church qualified for exemption, and they were satisfied."

In August 1993, the two sides reached an agreement. The church would receive its coveted exemptions for every Scientology entity in the country and end its legal assault on the I.R.S. and its personnel.

There was just one more step. Scientology entities were required to submit new applications for exemption, which were to be evaluated by the agency's exempt organizations division. But something unusual occurred there, too.

Mr. Schoenfeld, the negotiations chairman, ordered the two tax analysts assigned to the review not to consider any substantive matters, according to I.R.S. memorandums and records in the Tax Analysts case. Those issues, Mr. Schoenfeld informed them, had been resolved.

Both analysts, Donna Moore and Terrell M. Berkovsky, wrote memorandums specifying that they had been instructed not to address issues like whether the church was engaged in too much commercial activity or

whether its activities provided undue private benefit to its leaders.

Mr. Schoenfeld, who has since left the I.R.S., said he could not discuss the case. However, the senior I.R.S. official involved in the talks said there had been nothing sinister about the instructions because those matters had been decided by the negotiating committee. He acknowledged, however, that this was not the typical procedure.

The agreement was announced on Oct. 13, 1993. The I.R.S. refused to make public any of its terms, including whether the church paid any back taxes. The I.R.S. also refused to discuss the legal reasoning behind one of the biggest turnarounds in tax history.

Tax lawyers said the I.R.S. could have required the church to disclose terms of the agreement, as it has done in the past. In 1991, the I.R.S. required the Jimmy Swaggart Ministries to disclose that the group had paid \$171,000 in back taxes for violations. In 1993, just a few months before the Scientology agreement, the I.R.S. required the Old Time Gospel Hour, a group affiliated with the Rev. Jerry Falwell, to publicize its payment of \$50,000 in back taxes.

"The I.R.S. actually specified which media outlets we were to notify and approved the release," said Mark DeMoss, a spokesman for Mr. Falwell. "When nobody picked it up, they put out their own press release."

William J. Lehrfeld, who represents Tax Analysts in its suit to make the Scientology agreement public, said, "You and I, as taxpayers, are subsidizing these people, and we should see this information."

## The Aftermath

### A Former Enemy Becomes an Ally

Five days before the official announcement, Mr. Miscavige went before the Scientology gathering in Los Angeles and declared victory. In a two-hour speech, according to the account in International Scientology News, Mr. Miscavige described years of attacks against Mr. Hubbard and Scientology by the Government.

"No other group in the history of this country has ever been subject to the assault I have briefed you on tonight," he said, calling it "the war to end all wars."

As part of the settlement, Mr. Miscavige said, the I.R.S. had agreed to distribute a fact sheet describing Scientology and Mr. Hubbard. "It is very complete and very accurate," Mr. Miscavige said. "Now, how do I know? We wrote it! And the I.R.S. will be sending it out to every government in the world."

Mr. Feffer, Ms. Yingling and Thomas C. Spring, another of the church's tax lawyers, appeared in formal attire on stage that night



Church of Scientology

#### THE COUNSELING

Scientology counseling sessions use a device known as an E-meter.

**SECRET**

**SNOW WHITE PROGRAM**

**POLICY:** Attack is necessary to an effective defense.

**PROGRAM CODE:**

An innocuous CODE which can be used in telex and despatch form has been developed for use in this program. Each target is itself a project. These are all of a family of names relating to the well known fairy tale "Snow White and the Seven Dwarfs" as the villains in the case are spreading a fairy tale with no basis in fact. Associated names are Witch, Stepmother, Prince, Maiden, Skin, Lips, Blood, Magic, Mirror, Hunter, Lace (poisoned), Apple (poisoned), and the names Happy, Bashful, Doc, Sneazy, Grumpy, Sleepy, Dopey. There are other names in this fairy tale, Dance, Shoes, Revival, Sister, Animal, Heart, Mine, Pick, Shovel, Lantern, Ore, Tunnel, Car, Housekeeper, Broom, House. None of these words will be used for persons involved, only for projects, with the overall name SNOW WHITE to cover this program.

**L. RON HUBBARD**

**THE DOCUMENT**

In 1973 L. Ron Hubbard, the founder of Scientology, outlined a program that was code-named Snow White, through which the church sought to root out "false ideas and secret files" about Scientology among the governments of the world.

and received Waterford crystal trophies in recognition of their efforts.

Mr. Miscavige called the agreement a peace treaty that would mark the biggest expansion in Scientology history.

The church immediately began citing the I.R.S. decision in its efforts to win acceptance from other governments and silence critics. But the biggest public relations benefit may have come from the American Government itself.

Four months after the exemptions were granted, the State Department released its influential human rights report for 1993, a litany of the countries that abuse their citizens. For the first time, the report contained a paragraph noting that Scientologists had complained of harassment and discrimination in Germany. The matter was mentioned briefly in the 1994 and 1995 reports, too.

Throughout those years, the dispute between Scientologists and the German Government escalated. In an intense publicity



Church of Scientology

**THE FOUNDING CHURCH**

A service at the original Scientology church in Washington, D.C.

campaign that included advertisements in this newspaper, the church said that businesses owned by Scientologists had been boycotted and that its members had been excluded from political parties and denied access to public schools. The church asserted that the German actions paralleled the early Nazi persecution of Jews.

The German Government responded that Scientology was not a church worthy of tax exemption, but a commercial enterprise — the very position the I.R.S. had maintained in its 25-year war against the church. German officials said equating the treatment of Scientologists with that of Jews under the Nazi regime was a distortion and an insult to victims of the Holocaust, a view supported by some Jewish leaders in Germany.

The dispute turned into a diplomatic ruckus in January when the State Department released its 1996 human rights report, with an expanded section on Scientology that said German scrutiny of the religion had in-

# PRACTICING RELIGIOUS INTOLERANCE

To prevent a repetition of the persecution of religious minorities in Germany in the 1930s and 1940s, the country's post-war Constitution guarantees the right to religious freedom and practice. However, to circumvent the Constitution and justify their attempts to deprive members of the Church of Scientology of their civil rights, German officials have blatantly asserted that Scientology is not a religion.

Those who know little or nothing about Scientology may wonder what is wrong with this assertion. The answer is everything.

Founded by writer and philosopher L. Ron Hubbard, Scientology is a religion in the oldest sense of the word. Like all true religions, Scientology helps man to realize his inner divinity.

It has been recognized as a religion by courts, scholars and agencies in numerous countries, including the United States, France, Belgium, the Netherlands, Portugal, Italy, and New Zealand.

Furthermore, the United States government decided in 1993, after an examination of Scientology, unprecedented in scope, that Scientology is a bona fide religion and that its churches and social reform organizations are fully tax-exempt.

But this is not the impression that

Furthermore, the United States government decided in 1993, after an examination of Scientology, unprecedented in scope, that Scientology is a bona fide religion.

## GERMANY



beliefs were different that they were a convenient scapegoat, which led in the end to their senseless destruction.

Considering the events of World War II, most would agree that Germany is the last country that should make governmental pronouncements on what is or is not a religion. It has no tradition of championing religious freedom or human rights. Quite the contrary. It is the only country in the world that has embarked on a systematic campaign of discrimination against Scientologists, attempting to deny them a livelihood by excluding them from the civil service, professions and the arts.

Whether or not you agree with Scientology, that it is a religion is not known to its millions of adherents, but has been decided thus and again by scholars, officials and courts all over the world. That German officials take a radically different stance should set alarm bells ringing in anyone's head.

And indeed it has. Since 1993, the United States State Department, the United Nations, the Helsinki Commission, U.S. Congressmen and Senators, religious scholars and historians have cited Germany for human rights abuses against Scientologists.

Fortunately, Scientologists are resilient and energetic. They come from all walks of life and every profession. They have close, happy families and enjoy raising children, while taking active roles in their communities. A truly democratic government would value such resources in the nation.

If it sounds impossible that a supposed democracy would deny the bona fides of a genuine religion in order to persecute it,

Nazis did precisely that to the Jewish people

### THE PUBLICITY CAMPAIGN

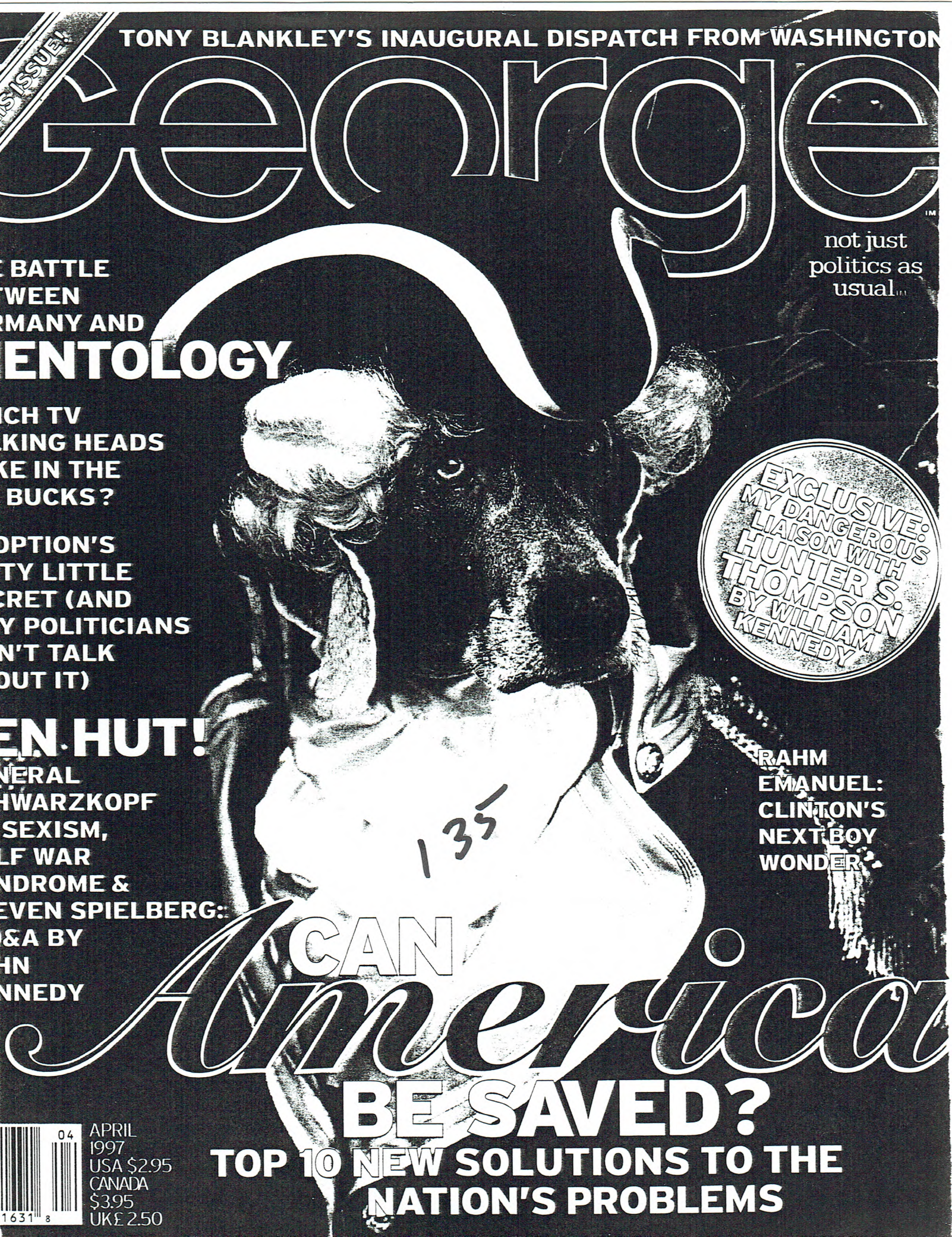
In an advertisement the Church of Scientology ran in The New York Times on Oct. 17, the church touted the I.R.S. exemptions and criticized the German Government.

creased. Artists had been prevented from performing because of their membership in the church and the youth wing of the governing Christian Democratic Union had urged a boycott of the film "Mission: Impossible" because its star, Tom Cruise, is a prominent Scientologist, the State Department said.

German officials were angered by the criticism, and Foreign Minister Klaus Kinkel raised the matter with Secretary of State Madeleine K. Albright when she was in Bonn on Feb. 18. Ms. Albright told him that the issue was a subject for bilateral discussions, but she said she found claims by Scientologists that they are the victims of Nazi-style persecution "distasteful."

Nicholas Burns, the State Department spokesman, said that, despite the belief that Scientologists had gone too far in drawing comparisons to persecution of Jews, the department had felt compelled to expand on the church's troubles with the Germans in its latest human rights report.

"The Germans are quite adamant, based on their own history, that these are the kinds of groups that ought to be outlawed," Mr. Burns said. "However, for our purposes, we classify Scientology as a religion because they were granted tax-exempt status by the American Government."



TONY BLANKLEY'S INAUGURAL DISPATCH FROM WASHINGTON

ISSUE!

# George

not just  
politics as  
usual.

BATTLE  
BETWEEN  
GERMANY AND  
MENTOLOGY

WHICH TV  
SHOW IS MAKING HEADS  
TURN IN THE  
BUCKS?

THE OPTION'S  
A VERY LITTLE  
SECRET (AND  
WHY POLITICIANS  
DON'T TALK  
ABOUT IT)

GENERAL HUT!

GENERAL  
SCHWARZKOPF  
ON SEXISM,  
GULF WAR  
SYNDROME &  
EVEN SPIELBERG:

Q&A BY  
JOHN  
KENNEDY

EXCLUSIVE:  
MY DANGEROUS  
LIAISON WITH  
HUNTER S.  
THOMPSON  
BY WILLIAM  
KENNEDY

GRAHAM  
EMANUEL:  
CLINTON'S  
NEXT BOY  
WONDER

# AMERICAN

## BE SAVED?

TOP 10 NEW SOLUTIONS TO THE  
NATION'S PROBLEMS



APRIL  
1997  
USA \$2.95  
CANADA  
\$3.95  
U.K. £2.50





# THE GERMAN GOVERNMENT SAYS THE CHURCH OF SCIENTOLOGY

## IS A TYRANNICAL CULT THAT RECALLS THE COUNTRY'S DARK HISTORY. THE SCIENTOLOGISTS SAY IT'S THE GERMANS WHO HAVEN'T CHANGED.

### IN AN INCREASINGLY BITTER BATTLE, TWO POWERS COLLIDE OVER THE MEANING OF FREEDOM AND THE BURDEN OF THE PAST. BY RUSS BAKER

# CLASH OF

# THE



**H**elmut Kohl may be chancellor of Germany, but he isn't accustomed to getting mail from the likes of Dustin Hoffman. Nonetheless, in the January 9, 1997, edition of the *International Herald Tribune*, he was the target of an open letter, signed by the Academy Award winner and 33 other prominent entertainment industry figures, including actress Goldie Hawn, director Oliver Stone, talk-show host Larry King, producer Aaron Spelling, Warner Bros. co-chairman Terry Semel and author Gore Vidal. The celebrities expressed grave concern about recent ominous developments in Germany. Invoking Adolf Hitler and the "unspeakable horrors" of the Holocaust, they worried whether the heirs to the Third Reich's bitter legacy were once again headed down a potentially tragic path. This time, though, the victims were not Jews. They were members of a controversial and little-understood group, the Church of Scientology. Protesting "the invidious discrimination against Scientologists," the missive concluded, "This organized oppression is beginning to sound familiar... like the Germany of 1936 rather than 1996."

Clockwise from top left: Scientologist Lisa Marie Presley; church member John Travolta; church headquarters in Hamburg, Germany; church member Tom Cruise; Scientology founder L. Ron Hubbard in 1966; a church publication from 1993; Scientology ad in the *New Times* last fall

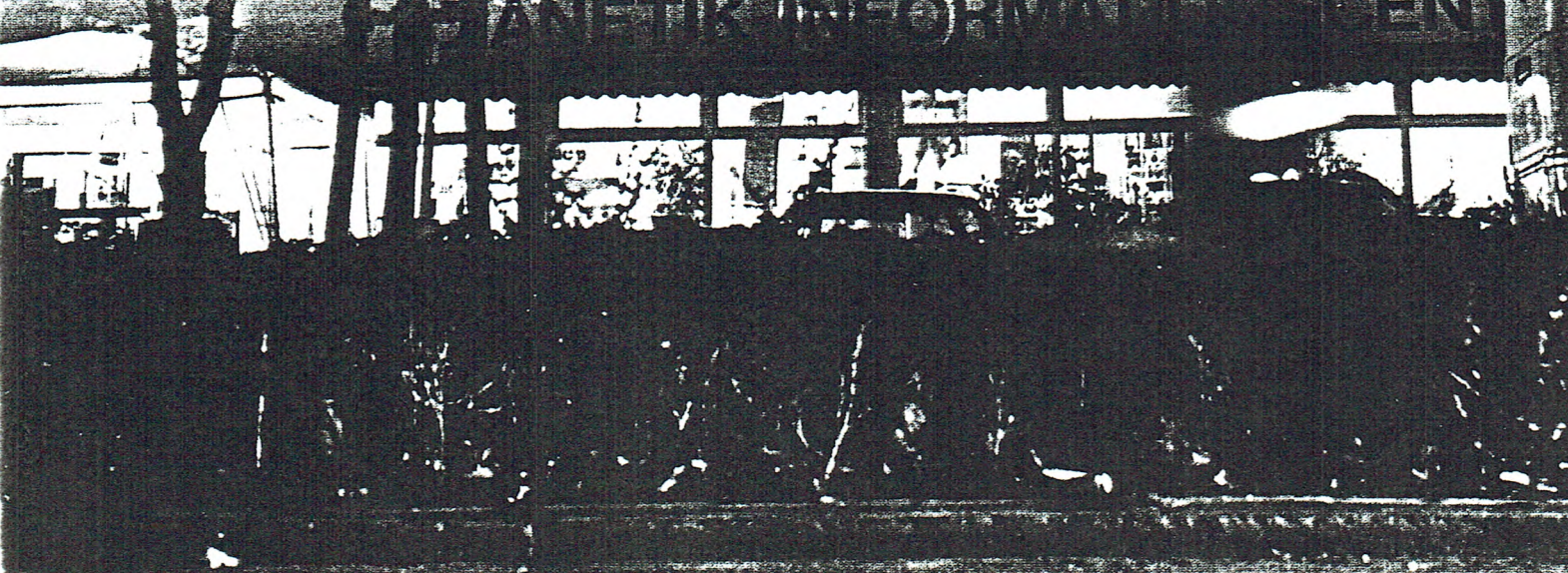


137



# TITANS

GENETIK INFORMATION SCIENCE



Kohl's petitioners are not Scientologists. Indeed, many are Jewish. So is Bertram Fields, the powerful Hollywood lawyer who drafted the letter, solicited the signatures, and paid \$56,700 of his own money for the ad space. Fields, who has represented Dustin Hoffman, Michael Jackson, and Warren Beatty, says he got the idea when he learned that a German youth group was promoting a boycott of *Mission: Impossible* in the summer of 1996 because its star, Tom Cruise, is a Scientologist. Cruise happens to be Fields's client, as is another Hollywood powerhouse and Scientologist, John Travolta.

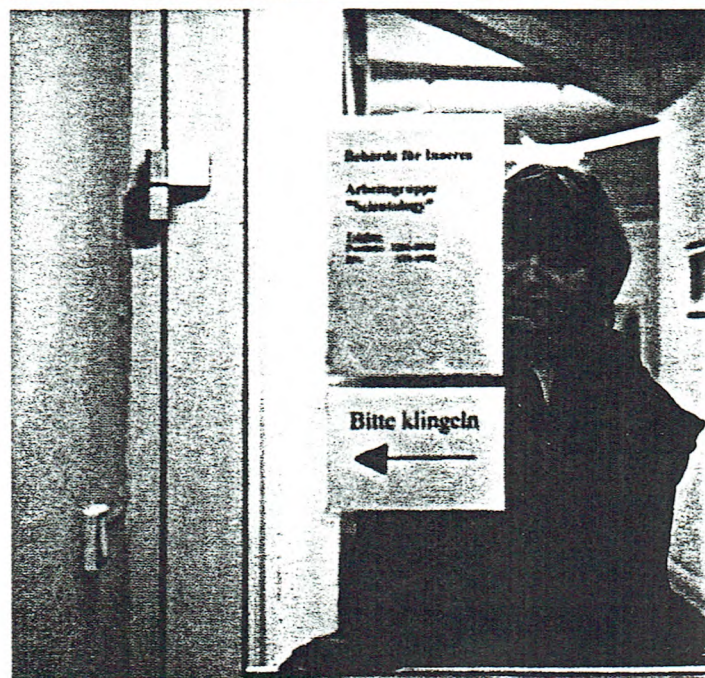
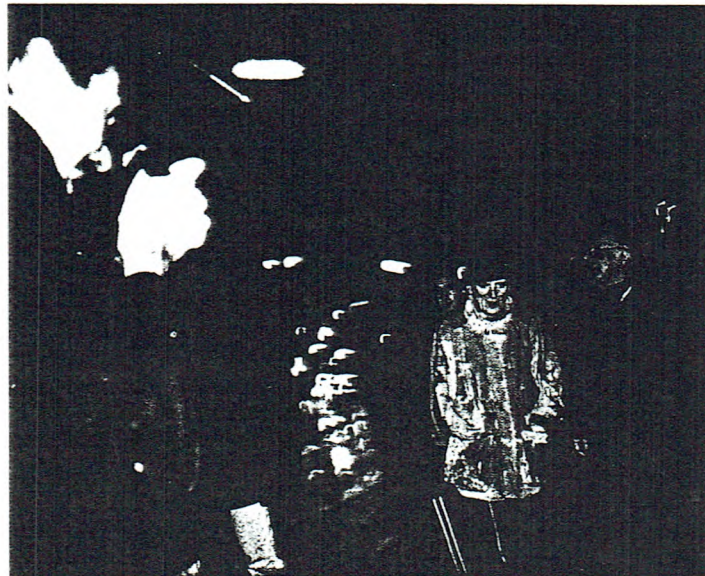
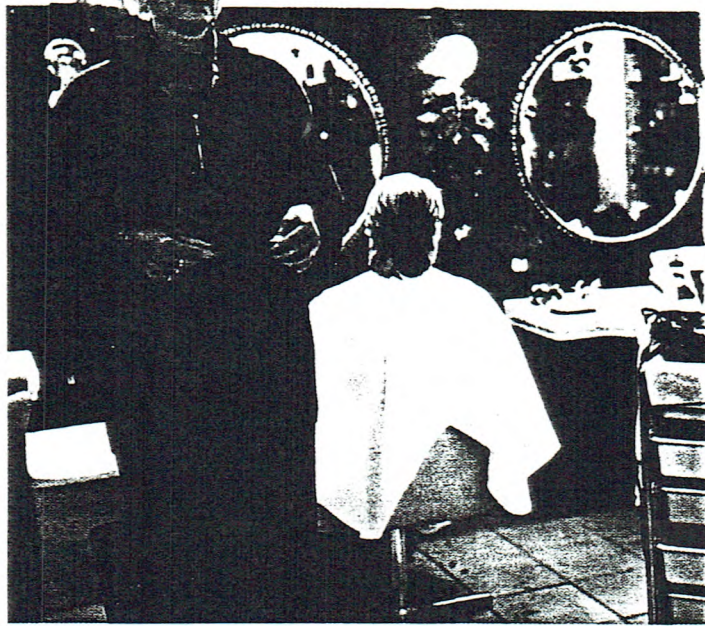
It is unclear how much the signatories, 12 of whom are Fields's current clients, know about Scientology, Germany's position on the group, or even the contents of the letter before they signed it. According to Hollywood sources, it's common practice among industry types to ask friends to lend their names to literature about a cause, sight unseen. (One signer, director Constantin Costa-Gavras, publicly retracted his name from the letter after a more "careful reading.") But even Fields doesn't seem to want to peer too deeply into the controversy. When a German reporter told Fields that Scientology was "dictatorial," he dismissed the charge, saying that "Orthodox Judaism is dictatorial, the Catholic Church is dictatorial." He insists "these people are being discriminated against radically for something they believe in. I'm not advocating Scientology, and I don't know a hell of a lot about it. I know that the two people I know [Cruise and Travolta] who are in it have really straightened out their lives."

But why such a public (and expensive) show of support? "This is the way you buy goodwill in Hollywood," says one insider. "You take out ads." Indeed, according to the source, Fields's motives are obvious to any industry veteran. "Just look at the grosses of Cruise and Travolta's movies. They're the most successful stars in Hollywood. It's what they said in Watergate: Follow the money. Or let me put it to you this way. Fifty-six thousand dollars is a miscellaneous billing for the legal bills that Cruise and Travolta generate."

**W**hat has become an international incident involving celebrities developed out of an ongoing, highly contentious debate that has recently included verbal tussles between the U.S. and German governments. The accusations against Germany first came to the attention of Americans in another ad campaign in the *New York Times*, this time paid for by the Church of Scientology. Readers of the Paper of Record were greeted by a series of ten full-page ads (at a cost of \$60,000 each) last fall, decrying a return to jackbooted thuggery in Germany. PRACTICING RELIGIOUS INTOLERANCE, read the first ad's headline, an eagle and swastika insignia menacing below. "You may wonder why German officials discriminate against Scientologists," the ad stated. "There is no legitimate reason, but then there was none that justified the persecution of the Jewish people either." The ads recalled how Jewish children, teachers, and workers were stigmatized in the first days of the Third Reich. Today, the ads charged, Scientologists were experiencing a similar fate—losing jobs, being harassed, and being excluded from civil service.

Undoubtedly, Scientology isn't about to win any popularity contest in Germany. A general alert about the organization has been sounded, from the Lake of Constance to the Baltic Sea, which may seem odd to most Americans, who know little—and often care less—about the church that was founded in the U.S. by the late science-fiction writer L. Ron Hubbard. But Scientology is a newer phenomenon in Germany, a much smaller country with a relatively homogeneous population. There, the general consensus is

**Germany on guard (from top): Yvonne Seifert-Dreyer, a tenant in a Hamburg building formerly owned by a Scientologist; federal minister Norbert Blüm at an anti-Scientology protest rally; Ursula Caberta, head of Hamburg's task force on the organization, who was dubbed "the new Goebbels" by a church official.**



# "THAT'S THE WAY YOU BUY GOODWILL IN HOLLYWOOD," SAYS AN INSIDER. "YOU TAKE OUT ADS."

139

that the Church of Scientology uses religion to cloak a dangerous cult movement with the look and feel of big business.

In fact, German officials respond to the group's highly publicized charges with a reciprocal blast—that it is *Scientology* that bears similarities to extreme political movements in Germany's past, such as Nazism and communism. Therefore, they argue, the organization constitutes a legitimate security risk. "Scientology is a new kind of extremism," says Dr. Jürgen Keltsch, a former Bavarian prosecutor who has devoted more than a decade to investigating the church. "If you look to the end, you have an Orwellian society."

When Kurt Weiland, an Austrian who is a director of the Church of Scientology International in Los Angeles, is read this last quote, his response is biting: "They must be looking into their own minds, reciting their own plans for the future." The exchange highlights the inherent irony of the battle between these two powers, each seeking to move beyond its controversial past.

**O**n a dismal December evening, a crowd assembles outside Scientology's glass-fronted, five-story building on Hamburg's Steindamm thoroughfare. The federal minister of labor, Norbert Blüm, has flown in from Bonn to address an anti-Scientology rally of the Junge Union, the youth wing of the ruling party, the Christian Democratic Union (CDU), which called for the *Mission: Impossible* boycott. As the rain becomes heavier, party officials congregate in a tent set up for the occasion. Across the way, Scientology officials watch the proceedings from beneath their own canopy.

When Blüm arrives, both sides head off for an indoor rally some blocks away. As I follow the crowd, a man approaches, takes my picture, then scurries off. Inside the lecture hall the air crackles with energy. With their prim turtlenecks and cardigans, the audience members from the Junge Union resemble a gathering of the Young Republicans. Blüm launches into his trademark speech on the church: "Scientology misuses the good name of religion for a business despising men.... [It is] a criminal organization... an imperialistic organization wanting to conquer humanity.... Democracy has to fight back against this new form of violence, of psychological terror, of suppression." The audience has grown to several hundred, and Blüm is greeted with vigorous applause.

Some of the people from the Scientology tent have filtered into the hall. In the bleachers, a man with a telephoto lens points his camera almost exclusively at me. Every time I obscure my face, he puts his camera down.

It's time for questions, and the Scientologists line up one by one to give statements. Blüm doesn't understand Scientology, they say. He takes its writings out of context. The two sides heckle each other, and the event abruptly ends. As I prepare to leave, an intense-looking woman with dark hair approaches. "You are Mr. Baker," she says. She identifies herself as Sabine Weber, Scientology's German spokesperson. She wants to know "what sort of story" I'm working on. I'm taken aback. I wrote one article and did a short television segment on Scientology in the U.S. several years ago, but I have never reported on the organization in Germany. The experience is doubly unnerving since one of the criticisms of the group is that it pays inordinate attention to outside observers, one of many reported mechanisms used to control its image.

Although Blüm is clearly in the vanguard of the German campaign against the group, he is considered somewhat extreme by many Germans. They may agree with the essence of what he says, but they think he's fostering a hysterical environment for political gain. But as Hans-Jörg Vehlewald, a reporter for the prominent newsweekly *Der Spiegel*, explains,

"You can't do wrong in Germany fighting against Scientology."

German concerns about Scientology were first expressed in the early '80s by the Lutheran and Roman Catholic churches, which had received scattered complaints from parishioners who were worried about the in-

volvement of their relatives in Scientology. Former Scientologists also claimed that the group had coerced them into parting with large sums of money. In the late '80s the unease turned into full-fledged alarm when the self-described spiritual movement began appearing increasingly in business contexts—developments that critics saw as cult expansionism. "In the morning it's a company," says German parliament member Freimut Duve. "At midday it's a doctor to treat people psychologically, and in the evening it's a church."

Several states, including Hamburg, Berlin, and Bavaria, began scrutinizing complaints about aggressive real estate companies that allegedly intimidated tenants and abused employees—companies whose owners were allegedly promoting and sending large donations to the Church of Scientology. Although investigations turned up improper and, in some cases, illegal activities—in 1992 two prominent Scientologist businessmen were jailed for tax fraud—there was insufficient evidence to prove a coordinated organization-wide pattern of racketeering. Lacking the legal grounds to prosecute or shut down Scientology, authorities began taking a variety of measures to at least stem its influence—some highly controversial, including distributing brochures warning schoolchildren about the group.

Bavaria, the southern German state known for its Oktoberfest revelry and its rock-ribbed conservatism, gained worldwide attention last November when it passed a decree requiring that all prospective civil servants fill out a questionnaire detailing any links to Scientology. The decree has drawn criticism from many Germans—including staunch critics of Scientology—who see it as a clear infringement on civil liberties. "I personally have some doubts whether the government is entitled at all to question an applicant for civil service about his religion," says constitutional scholar Ingo Vön Munch of the University of Hamburg.

University of Maryland law professor Peter E. Quint, a specialist in U.S. and German constitutional law, offers this explanation for why Bavaria thinks it can probe employees' beliefs: The German constitution, known as the Basic Law, requires anyone in civil service to be prepared at all times to affirmatively support the "free democratic basic order." According to Quint, "It's not just that you aren't against it, it's that you have to stand up and support it." He also cites Article 9 of the Basic Law, which states that associations "whose aims or activities contravene criminal law or are directed against the constitutional order, or the notion of international understanding shall be banned." No court has yet evaluated the Bavarian questionnaire, although Scientology officials say they are considering a legal challenge.

The federal government in Bonn has not passed any specific legislation against Scientology, but it has registered its mounting panic. "After having conducted thorough studies on the Scientology organization," reads one of its recent press releases, "the federal government has come to the conclusion that the organization's pseudoscientific courses can seriously jeopardize individuals' mental and physical health and that it exploits its members." In the spring of 1996, the government formed an investigative commission on sects and cults, to consider possible measures against them. Made up of investigators from the German states, the commission seems to be focused primarily on Scientology. Various politicians and political parties have floated proposals to ban the group entirely, to bar members from federal civil

service jobs nationwide, and to conduct a surveillance of the organization. In 1994 Minister Blüm introduced a decree, since overturned, stating that Scientologists could not run employment agencies.

Some Scientologists have evidently been victims of the current climate of suspicion surrounding the group. Scientology officials detail dozens of incidents aimed at its members and facilities, including graffiti, verbal insults, broken windows, and hate mail. (German authorities insist that such incidents aren't common, that police investigate all reported incidents, and that Scientologists have standard recourse to the justice system when cases of discrimination do occur.) There have also been efforts to keep Scientologists out of political parties. Helmut Kohl's party, the CDU, doesn't accept Scientologists, claiming that it is a Christian party and that Scientologists say they are members of a distinct religion.

The German reaction toward Scientology has been met with cautious condemnation by such organizations as the United Nations and the U.S. State Department, which point out the hazards of government-sponsored campaigns against minority belief systems. German officials counter that Germany, of all nations, is attuned to the need to protect civil liberties. Explaining the country's scrutiny of Scientology, a German policy paper states that "because of its experiences during the Nazi régime . . . German society is particularly alert toward radicalism of any kind and has set stiff standards for itself when dealing with aggressive, extreme groups—even when the groups are small in number." A policy like this is more common in democracies than most officials would care to admit. U.S. police agencies have long monitored "threatening" groups, but investigations are rarely made public unless arrests occur or scandals emerge. Germany is currently in the spotlight, partly because its inquiries are so visible.

In general, Germany isn't bashful about taking action against organizations it considers cults. The Reverend Sun Myung Moon, who founded the controversial Unification Church (known to most people as the Moonies), was barred from entering Germany in 1995, though his group isn't banned. Scientologists point out that other groups, such as Jehovah's Witnesses and fundamentalist Christian groups, are also regarded with suspicion.

Certainly, from the mass suicides at People's Temple, run by the Reverend Jim Jones, to the subway chemical attacks by Japan's Aum Shinrikyo, governments have periodically faced catastrophic circumstances at the hands of self-proclaimed churches. The question, debated increasingly in Germany, is, What measures can a society take in order to protect itself, without trampling on the individual rights of citizens?

Scientology's response to the debate can be found on the boulevards of most German cities. On a crisp winter evening, two men and a woman stand on Berlin's regal Kurfürstendamm. Tall, blond, and good-looking, the trio exude a clean-scrubbed confidence. They carry baskets, filled with copies of L. Ron Hubbard's introductory text, *Dianetics: The Modern Science of Mental Health*, which has sold 17 million copies worldwide, according to the book's cover.

I strike up a conversation with one of the Scientologists, a polite fellow named Berndt. When I ask him about the German complaints about Scientology, he explains that it is all disinformation. What about complaints by former members? I ask. He suggests that perhaps they failed to follow Hubbard's "technology" carefully enough. For success in Scientology, says Berndt, it is imperative to study and heed Hubbard's every instruction. "If you fail to carry out one, the tech-

nology will not work for you."

Scientology jargon, in which words like *technology* have been redefined, can take years for outsiders to master. Consequently, it is difficult—by design, some critics argue—for a non-Scientologist to explain the belief system, and its followers don't always do a better job.

Scientology, founded in the 1950s by L. Ron Hubbard and based on his writings, is an amalgam of psychological concepts that gradually took on a religious overlay. Although Scientology has been calling itself a church since 1954, membership in other religions has been declared compatible.

People who first encounter Scientology may not think they're dealing with a spiritual system at all. Many begin by taking free "personality tests" offered at curbside card tables, or by enrolling in management-training courses that turn out to be Scientology-sponsored, all of which eventually lead to a regimen called "auditing," the central component of Scientological practice. In these intense counseling sessions, members are encouraged to recount sublimated experiences that may hinder their progress in life, using a device developed by Hubbard called an E-meter, which is similar to a lie detector: While the member grasps handles that measure electrical charges in the skin, an auditor watches a needle float up and down on a screen. Everything the auditee reveals, regardless of how personal, is written down and stored in Scientology's files. The ostensible goal of auditing is to eliminate psychic obstacles and eventually attain the state of "clear," which at one time was the ultimate definition of a truly realized Scientologist.

But Hubbard later added higher levels of achievement, so-called Operating Thetan, or OT, levels. According to the Scientology belief system, a tyrant named Xenu ruled a galactic federation 75 million years ago. Seeking to alleviate overpopulation, he ordered his henchmen to freeze excess bodies in a mixture of alcohol and glycol and transport them by spaceships resembling DC-8 planes to earth, which Hubbard called Teegeeach. Dropped into volcanoes and bombarded with hydrogen bombs, the souls of these banished creatures, known as Thetans, began to possess humans and are the source of all human unhappiness. In order to attain superior levels of achievement and control over life, one needs to exorcise these Thetans through auditing, instruction courses, and body-purification regimens. According to Scientology buffs on the World Wide Web, John Travolta is believed to be at least an OT5, Tom Cruise an OT3 or higher, Lisa Marie Presley slightly below a clear.

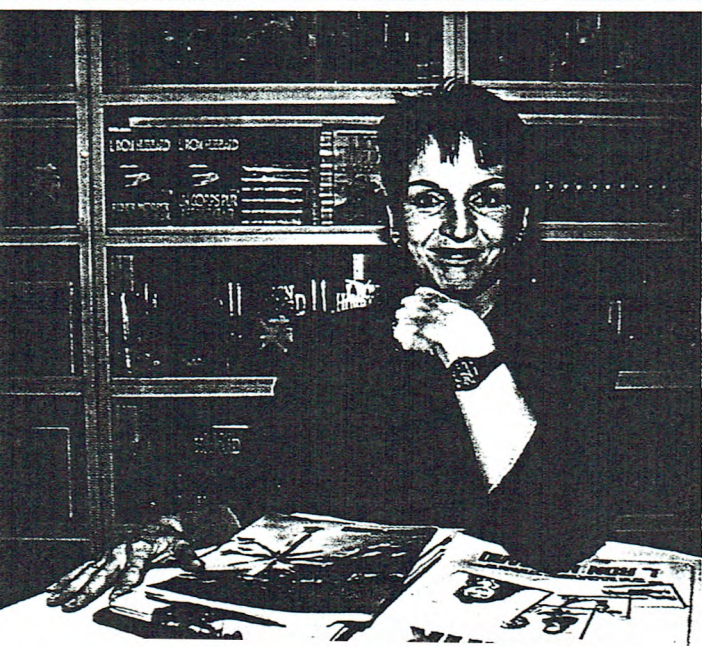
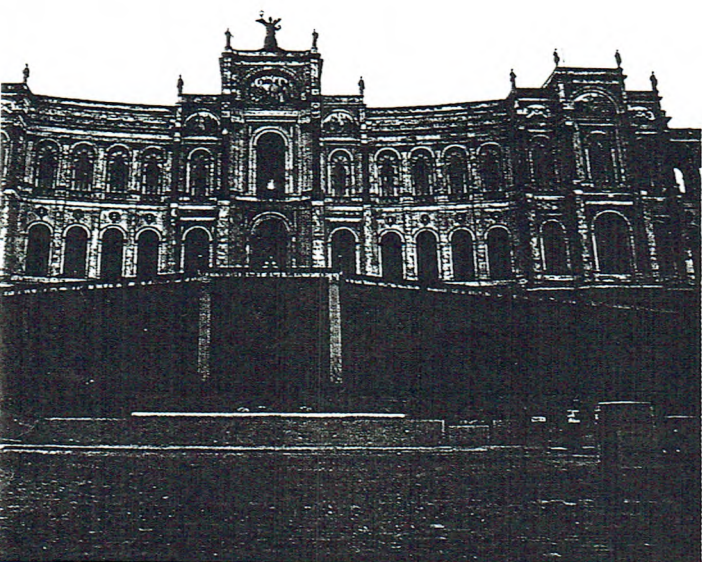
The system of thought and the counseling courses are referred to as technology. "Scientology works 100 percent of the time," reads Executive Directive No. 450, from the Religious Technology Center, the corporate entity of Scientology's top leadership. "There has never in our history been a failure of the technology itself. The only failures have been staff or organizational failures, when the technology was not known or applied."

Being a Scientologist is expensive. Ordinary members can spend hundreds of thousands on courses over several years. Scientology refers to these fees as "donations," but price lists must nevertheless be strictly followed. Internal memos refer to "freeloaders" whose course fees are overdue. Some

Scientologists who lack the funds to pay for courses are strongly urged to join what is called the Sea Organization, a Scientology branch whose members wear faux naval uniforms, bunk in spartan quarters, and work long days for little pay.

Celebrities, however, are treated differently, which is consistent with Hubbard's declaration that recruiting the famous would be crucial to the expansion of the movement ("Rapid Dissemination can be at-

**SUPPRESSIVE  
PERSONS,  
HUBBARD WROTE,  
"MAYBE TRICKED,  
SUED, LIED TO, OR  
DESTROYED!"**



tained ... by the rehabilitation of celebrities who are just beyond or just approaching their prime.”) Around the world, actors, musicians, and other glitterati take their courses at luxurious Celebrity Centres, where they see little of ordinary members.

Before and since his death in 1986, Hubbard has been revered as almost a deity by Scientologists. But former ranking members insist that he was a fraud, whose self-descriptions as a physicist and war hero were fabricated. Regardless, Hubbard and his ideas have proved seductive. His thousands of prescriptions apply to nearly all aspects of life. There are tips on studying, on marriage, on job interviews. And the auditing sessions provide members with a powerful emotional release and a sense that someone cares and is paying attention. Scientologists clearly believe they are improving themselves.

Explaining why he became a Scientologist, the former *Melrose Place* actor Jason Beghè says, “I wanted to know myself. Auditing helps you discover yourself. It’s not like sitting in a church and listening to someone preach... It’s true only if it’s true for you.” Beghè became a fervent Scientologist in 1994 when he finished the organization’s introductory detoxification regimen, which “handled all the residual drug traces and toxins in my body,” he says. “It was amazing. In just three weeks my eyesight improved by nearly 70 percent. I never looked or felt better, and my IQ went up by 16 points.” The actor, who is to appear in the upcoming movie *In Pursuit of Honor*, opposite Demi Moore, is now an OT4.

Scientology’s membership numbers are not verifiable. The group claims 8 million members worldwide, a figure former staffers consider wildly inflated, especially since Scientology says it has only about 30,000 followers in Germany, which, until a decade ago, had been among its most fertile recruiting grounds. A 1995 church publication notes that there are about 50,000 clears worldwide.

**D**espite its effectiveness in recruiting new members, Scientology has to deal with constant public recriminations from former adherents. On one Web page after another, people who identify themselves as ex-Scientologists post personal accounts of emotional damage and financial ruin. Most legal actions in the U.S. against Scientology involve cases filed by former members with similar complaints.

Many of Scientology’s legal tussles have also involved the media. Since 1991 alone the organization has sued *Time*, *Reader’s Digest* and the *Washington Post* over critical articles—most of the suits were unsuccessful but cost the publications a fortune in legal fees. Overall, the growing visibility of Scientology, thanks to its celebrity members, combined with a fear of the group’s litigiousness, has helped blunt criticism and press coverage. (During the reporting of this article, *George* was bombarded with letters and phone calls from Scientologists expressing concern about the direction the story might take. At one point, the president of the Church of Scientology International, Heber C. Jentsch, accused me of having fraternized with people who believe the Holocaust never happened—a difficult argument to make, since my own mother escaped from Nazi-occupied Europe and some of my relatives died in concentration camps.)

Nonetheless, government investigations date back almost to Scientology’s inception. In the early ’70s, during an audit, the IRS discovered that Hubbard was skimming millions of dollars from the church and diverting the money into his personal Swiss bank accounts. Affairs took a more troubling turn on June 11, 1976, when the FBI discovered two Scientologists with forged IDs inside the U.S. Courthouse’s Bar Association Library in

Washington, D.C., after visiting hours. An FBI raid of the church’s offices ensued, revealing an elaborate under-  
*(continued on page 116)*

**The new religious crusade (from top): The Scientology Celebrity Centre in Portland, Oregon; the Church of Scientology mission in Bremen, Germany; Sabine Weber, spokesperson for the organization in Germany.**

# Scientology

(continued from page 99) cover Scientology operation to obtain government documents on the organization, with the help of members working inside the IRS, the U.S. Coast Guard, and the Drug Enforcement Administration. In 1980, 11 top Scientology officials—including Hubbard's wife—were imprisoned for infiltrating, burglarizing, and wiretapping more than 100 government and private agencies in an attempt to block investigations of the church.

Critics of Scientology contend that the spy operation was part of a larger and more sinister global plan, laid out in Hubbard's pronouncements, such as this one from 1960: "The goal . . . is to bring the government and hostile philosophies or societies into a state of complete compliance with the goals of Scientology. This is done by high-level ability to control and . . . low level ability to overwhelm."

What the German authorities see as Scientology's espionage-like aspect is one of the government's biggest areas of concern. In the mid-'80s, Bavarian officials say, they discovered that the organization kept dossiers on public figures. They also cite one of Hubbard's early policies, known as Fair Game, directed against perceived enemies of Scientology, who are known as Suppressive Persons. SPs, he wrote, "may be tricked, sued, or lied to or destroyed" and "may be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist." Scientologists claim that the policy is no longer in effect.

German authorities also worry about how Scientology officials might use the auditing files. These are, after all, an individual's deepest, most private confessions. Among Scientologists' files entered into evidence in a U.S. court case was this 1976 profile of a member: "She has quite a record of promiscuousity [*sic*] in these early years. . . . She has masturbated regularly since she was 8 years old, mentions doing it once with coffee [*sic*] grounds (doesn't say how) and once had a puppy lick her. She slept with [a man] while he was married to her cousin."

When Hubbard's former spokesman Robert Vaughn Young left the organization and became a critic, Scientologists responded by sending his relatives a description of an alleged extramarital affair aboard a cruise ship. A Scientology spokesperson says the organization was just trying to show "what kind of character we are dealing with. . . . As I remember, it was with a minor." But it wasn't a minor, I recall. "So he was breaking the marriage," she says.

Scientology publications routinely accuse critics of all kinds of salacious acts, from collecting pornography to dancing nude. Scientology officials defend these tactics as being within the purview of a religion under siege.

Some critics of Scientology believe the motivation behind the organization's publicity cam-

paign against the German government is financial. Germany refuses to grant Scientology tax exemptions accorded to religions, contending that the group is seeking to gain tax benefits. With a cash flow reported at hundreds of millions of dollars annually, Scientology is treated in Germany as a commercial enterprise. Belgium, France, Israel, Italy, Spain, and Mexico have all refused to grant the organization religious status.

Until four years ago, the United States also denied the church religious tax exemptions. In 1993, after 40 years of stubborn resistance, the agency abruptly reversed its stance. (The briefs on the decision are sealed, although Tax Analysts, a Virginia publisher of tax research materials, has filed a lawsuit to have them made public.) Scientology, which had struggled mightily for the reversal, celebrated with a lavish gala and with headlines in its in-house quarterly newspaper, *International Scientology News*, declaring that THE WAR IS OVER!

In the old port city of Hamburg, behind the locked bulletproof glass door of a downtown office building, is Scientology's enemy number one, Ursula Caberta. The woman whom a top Scientologist dubbed the "new Goebbels" is portrayed as a clawed witch in Scientology's *Freiheit* (*Freedom*) magazine. Caberta is the head of the city's official Scientology task force, a small full-time unit that investigates the organization. Founded in 1992, the office provides the public with information about Scientology and counseling for people who consider themselves to be victims of the group. It also tracks businesses affiliated with Scientology.

Caberta begins to lay out her concerns about Scientology, whose texts she has pored over for years with an intensity shared perhaps only by Hubbard's followers. "For me, it's like Hitler's thinking," she says, struggling with her English. "Hitler was thinking that the Aryans were going to rule the world, the *untermenschen*. The philosophy of L. Ron Hubbard is the same." She compares Hubbard's *Introduction to Scientology Ethics* with *Mein Kampf*. "People used to say of Hitler, 'He's a little bit crazy,'" she goes on. "They are saying the same thing about L. Ron Hubbard. . . . Germans are a little more sensitive than others, because we know what it means if people think one is 'only a crazy one.' We know what it means if this thing is one day a reality."

Philosophical concerns notwithstanding, Caberta says the city government established her office for more workaday reasons. In the late '80s, Hamburg authorities began receiving harassment complaints from tenants in buildings that were bought by Scientologists after condo conversions became legal. They claimed the new landlords were trying to oust them in order to sell the apartments for substantial profits.

According to Scientology officials, hundreds of German companies, including real estate, headhunting, temporary-employment, computer, and engineering firms, license the use of "technology"—Hubbard's concept and management techniques. Scientologists claim these are not church businesses but members of the World Institute of Scientology Enterprises (WISE), an entity that is legally distinct from the Church of Scientology.

Yvonne Seifert-Dreyer, a 48-year-old beautician, says she knew nothing about Scientology until a Hamburg real estate magnate and WISE member, Götz Brase, bought the building containing her salon and apartment. She says tenants received threatening letters and late-night crank calls. Some tenants described being shadowed by individuals who spoke loudly into tape recorders, saying, for example, "It is 10 P.M., and Mrs. Gunther is now leaving her apartment." At one point, recalls Seifert-Dreyer, the building's basement was overrun by rats. "Lab rats, not wild ones," she says. When it became clear that the tenants wouldn't budge, the management offered to pay cash rewards and moving costs for those who were willing to leave. German officials say profits flow into Scientology's coffers and believe that the techniques themselves are inspired by Scientology teachings. The Society of German Real Estate Brokers concurs and has now banned Scientologists from membership.

In Hamburg I spend several hours with former Scientologist Gitta Gerken, 46, a handsome, neatly coiffed woman who worked as a real estate agent from 1994 to mid-1995 at Brase's real estate firm. "Brase was the money machine for the Hamburg org," she explains, using the in-house term for a Scientology center. "Brase's aim was to make money in Hamburg to reinforce the organization and to start businesses in other cities to reinforce other orgs—in Düsseldorf, Munich, Berlin." Although they are entitled to commissions, she says, Brase staffers who sold an apartment were immediately pressured by co-workers to donate the money to Scientology. An office memo, for example, congratulated the staff on "fulfill[ing] the purpose of the company, by succeeding to produce a highest ever [record] . . . just for Ron [Hubbard]'s birthday: Twenty-two housing units were sold in one week." Gerken, who tells of being forced to work up to 70 hours per week, says employees operated in a climate of fear and paranoia, reporting on each other to Scientology officials. (The group's publications urge members to file "knowledge reports" when they hear members or outsiders expressing criticism of Scientology.)

Gerken also says she was pressured to spend her money on more courses and auditing sessions. After she and her Scientologist husband had pumped approximately \$270,000 into the organization, she

# Scientology

explained to a Scientology chaplain. Her husband was then given a document declaring him a trouble source, a potential trouble source, for having failed to comply with the Scientology rules for a happy marriage. The document, citing their names, was published in church publications.

Ralf Burmester, a Hamburg lawyer who represents former Scientologists, says many of his clients were pressured to borrow heavily to pay for courses. "They normally start with a small course, say \$40," he says, "and it becomes more and more. I have many people who spent \$50,000 to \$180,000 in one or two years."

Brase, who was never charged with any criminal offense, denies any wrongdoing, saying tenants in the Riefert-Dreyer's building were "paranoid." As for Brase's claims: "I don't like being called a money machine," protests the businessman, who says he has converted hundreds of buildings in Hamburg. What she means is I personally in the past bought buildings which I rented out to the church or social movements supported by the church, like a drug rehab. That's my personal decision.... What I've done in the past is use this personal purpose for motivating my employees." Scientology officials point out that none of Hamburg's investigations have led to any criminal convictions.

Several days after she approached me at the Hamburg anti-Scientology rally, I meet Sabine Weber, Scientology's chief German spokesperson, at the group's Munich headquarters in an affluent shopping district. Weber, a smart, attractive woman, supremely trained to interpret Scientology for the layperson, doesn't want me and my photographer on the premises, so we repair to a nearby restaurant. She tells me how she came to be a Scientologist ten years ago. "You wouldn't believe it," she says. "I was asked in Market Street in San Francisco if I wanted to do a personality test."

It was the auditing sessions that drew her in, she says. "I was impressed how you can recognize situations from the past that affect you in the present time." We talk about the reasons for what she perceives as a formal harassment campaign by the German government. "The problem in Germany is we don't have separation of state and church in this country," she says. "This is a Christian country, so all they understand is they have a certain type of church."

Legal experts partly concur. "It's clear there's a separation, but it's not a complete separation," says law professor Quint. Most Germans identify themselves as either Lutheran or Catholic. Those two religions are supported by taxes collected from their members by the states. Scientologists say that the government, in investigating offbeat sects, is responding to pressures from the two churches, which worry about declining membership.

But what about the separation between the Church of Scientology and WISE-affiliated real estate agents? I ask Weber. "[They] are businessmen who use the administrative technology of L. Ron Hubbard," she explains. As for Brase, he is "just a simple member of the church. He just contributes like any other member."

When she is asked about claims of financial ruin by former members, Weber gets impatient. "It's easy to find a few people to tell that story—they're needed to fuel the campaign," she says.

Weiland, the U.S. director, is more blunt. "Usually, they squandered their money," he says, "Scientology offers an educational route... that is no more expensive than a college education... yet there's much more substance, and it takes much longer to study it."

But German officials cite Hubbard's writings as proof that the organization is out to make money. The church's governing financial policy letter states, for example, that members must "make money. Make more money—make other people produce so as to make money."

"I can give you a hundred quotes for every quote they bring up that show [that what they are saying] is nonsense," says Weber. "They bring up these wonderful quotes that sound aggressive, but no Scientologist ever followed them."

Irrespective of their commitment to Scientology, some German members, whose names were provided to me by Scientology's U.S. parent organization, have faced discrimination. Though it is hard to say how many, Scientologists have lost their jobs and seen their bank accounts closed and their children ejected from schools. One such person is Gerhard Waterkamp. In 1995 he was fired from his job as a divisional general manager at a multinational automotive-supply company after his name turned up on a list of people who had taken Scientology courses. As the company explained in a letter, it did not want "the management technology of Ron Hubbard to be introduced in our company."

"The majority of companies in Germany share this attitude with us," the letter concluded, offering to write a recommendation to any company that felt otherwise. Today, Waterkamp lives in Burbank, California, where he is an executive in a Scientologist-owned market research firm.

One woman, who asks that her name not be used, says her thriving image-consulting firm began to fail after a newspaper article described her involvement with Scientology. "The story was always the same," she recalls, "that I didn't own my own company but was working for Scientology." She also provided me with a letter from her bank addressed to her husband, explaining why their account was being closed: "The Commerzbank AG categorically rejects any relation with the

method and the ideas propagated by L. Ron Hubbard," it stated.

Although these examples of discrimination appear to be legitimate, other instances, including those cited in Scientology's *Times* ads, have proved to be more complex. One ad mentioned a teacher who had been fired after it was discovered that she was a Scientologist. "Scientology tells you half the story," says the German journalist Vehlewald. He says the teacher was removed from her post after being reprimanded for handing out Scientology literature to students on 12 occasions.

Still, letters like the one Monika Wieneke received in 1987 from her daughters' school can be enough to make a person leave Germany. "You did not tell me that you are a member of the Scientology group," wrote the private Catholic Sophie-Barat-Schule in Hamburg. The school informed her regretfully that her children would no longer be permitted to attend. Wieneke is now a Scientologist minister in Clearwater, Florida.

Scientologist artists also tell of losing commissions from clients and being shut out of galleries when their affiliation became known. In fact, U.S. authorities were alerted to the problem in 1993 when American jazz pianist Chick Corea complained that one of his concerts was canceled in the southern city of Stuttgart after the authorities learned that he was a Scientologist. Hans-Werner Carlhoff, the head of the region's investigative teams on cults, says Corea was under consideration for a state subsidy for the concert and that talks broke down after officials learned that the celebrity promotes Scientology at his concerts.

So far, a number of cases of proselytizing by other Scientologists have been documented, but they do not appear to reflect a widespread pattern. One German official tells me about a Bavarian policeman who stopped someone for reckless driving and, instead of ticketing the man, sold him a copy of a Hubbard book. In another reported incident, a Berlin police official asked job applicants to take the Scientology personality test, then brought the results to a Scientology facility to evaluate them on a computer. He was suspended and ordered to pay a \$7,000 fine. The case is on appeal.

Corea sued the state and lost. The judge reportedly asked him if a "world-famous pianist like him" needs state subsidies. It should be pointed out, however, that the arts in Germany are heavily subsidized by the state. When an artist is blacklisted, he or she could have a hard time surviving. Chick Corea did recently play in Germany at a concert subsidized in part by the state.

Though some lawsuits have been filed in Germany by Scientologists, with mixed results, the organization's most aggressive response has been to launch the international ad campaign. Ger-



# Scientology

man officials were, of course, mortified by the stark comparisons to the country's Nazi past. "It's a distortion," protested Germany's ambassador to the U.S., Juergen Chrobog, citing a U.S. State Department statement calling the ad's language "needlessly provocative." The comparisons also angered some Jewish leaders. "It's either out of complete ignorance of Nazi Germany or a conscious and deliberate abuse of that experience for their own purpose," says Abraham Foxman, national director of the Anti-Defamation League of B'nai B'rith.

At a minimum, some Germans believe that Scientology is abusing legitimate grievances for public-relations gains. In May 1996, for example, the church's publishing arm sent a letter to German booksellers in which it cited "official praise of the Church of Scientology from the American President, Bill Clinton." After requesting clarification from Washington, indignant German officials received assurances from the State Department that the president had made no such comments. When I ask Weber about it, she faxes me several pages from a Scientology magazine. They contain what appear to be generic campaign statements about drug-abuse policy from Bill Clinton and Bob Dole, with no mention of Scientology whatsoever.

When I return to the United States, I phone the writer Gore Vidal, who was one of the signers of the open letter to Helmut Kohl in the *International Herald Tribune*. "It's got me into endless trouble in Germany," he sighs. "I had been led to believe by Bert Fields, my lawyer—he asked would I put my name to it—that it was a civil liberties gesture, not approbation of Scientology as a religion or a scam. I regard it as the second, personally, but then I'm not an authority." Vidal says he agreed to sign when he was told that children of Scientologists were barred from kindergartens. And, Vidal wants it known, he once met Hubbard in the 1950s, when Scientology was in its infancy. "He exuded evil, malice, and stupidity," says the historical novelist, "but perfectly amiable to talk to."

Though it's unclear whether the ad campaign had any effect, Scientology scored a major victory in January when the U.S. State Department issued its annual international human rights report. Among the report's survey of notable developments around the world, it mentions "the sharp debate surround[ing] the activities of the Church of Scientology, whose members allege both government-condoned and societal harassment." Though it contains no outright condemnation of German actions, the report lists, in carefully neutral language, German measures taken against Scientology.

The State Department argues that it is compelled to speak out, since some German policies

144

have affected U.S. citizens, such as Chick Corea. "Mind you, there's no defense of Scientology here," says Steven Coffey, of the State Department's Bureau of Democracy, Human Rights and Labor. "It is simply the fact that the German government has, for reasons that are totally unclear, decided to take action against a group that it itself said has committed no criminal acts." The impact of the report was subsequently undermined when the new secretary of state, Madeleine Albright, called the Scientology ads "distasteful and historically inadequate" and called the report "a subject that needs to be worked out."

Several members of Congress, including representatives Donald Payne of New Jersey and Cynthia McKinney of Georgia, have criticized German policy, some after being contacted by celebrity Scientologists. McKinney was alerted to the situation by the singer Isaac Hayes. "I don't know much about Scientology, but I do know about Isaac Hayes," she says. "What I've been told by [him] is that the Scientologists provide discipline for success and that the methods that are used to train and organize the mind are quite applicable to inner-city settings, where young people need to develop that same discipline. I haven't gone to the next step with Mr. Hayes, but certainly we need to look at opportunities for young people."

Despite the public relations nightmare, German officials are determined to continue on what they feel is a just, if risky, course. "It is our responsibility to inform... and to guard the people against [the Scientology organization]—of course, within legal limits," says Peter Hausmann, a spokesman for the German government.

Numerous other governments have begun investigating Scientology, including Belgium, the Netherlands, and Switzerland. Last November a court in Lyons, France, convicted a prominent Scientologist of involuntary homicide in connection with the suicide of a member who couldn't pay for Scientology courses. In December an Italian court sentenced 29 Scientologists to jail for "criminal association." And in January, police in Clearwater reopened a case of a Scientologist who died under mysterious circumstances at a Scientology hotel in 1995 after she told her parents she planned to leave the group.

In Germany, debate grows more lively over what is the appropriate degree of government response. Last fall, a former minister of justice declared that the state should be more restrained in its dealings with Scientology. Anne Rühle, who investigates sects in Berlin, agrees. "It seems that the U.S. is more easygoing," she says, "I feel it should be more easygoing here. I think it's necessary to deal with it on a solid, unemotional basis." Then she turns to her mounds of complaints about Scientology and plows in. ☐

# The Dawn of Gonzo

(continued from page 106) through without stepping on my head, I hope you make it."

That sounded unusually honest to me, but his talk of martyrdom and compromise were romantic ideas that had little value except as a writer convincing himself of his own seriousness. We recounted the examples of Faulkner's neglect, Nathanael West's bad luck, Fitzgerald's sad fading away with his work out of print. But all Hunter had done in the way of compromise was to drink too much and write some low-level journalism to stay alive. The inadequacy of his fiction was his real problem, and it was mine as well. The years ahead would prove this to both of us.

Hunter's letters from that time are a prime source for tracking his life then: how he shaped himself into the peculiar fiction writer he became.

1960: "If I weren't so sure of my destiny, I might even say I was depressed. But I'm not, and there's always tomorrow's mail."... "My fiction still refuses to sell.... Have begun the Great Puerto Rican Novel [*The Rum Diary*] & expect it will do the trick."

1961: His book was going badly, he wrote me, and an agent refused to take it on. "And so we beat on, boats against the current," he wrote, quoting *The Great Gatsby*, the oriflamme of his ongoing martyrdom to the American Dream.

1963: I react negatively to *The Rum Diary*, tell him to abandon it. "I have decided to rewrite it," he writes.

1964: Making money in journalism doesn't give him joy. "With luck, I will be driven back to fiction."

1965: Broke and jobless, he's "wrestling" with a novel. "Fiction doesn't depress me like journalism. It's harder, but much more human work."

1965: His article on motorcycle gangs for *The Nation* draws four book offers from publishers: "I am hysterical at the prospect of money.... The big apple at the moment seems to be *The Rum Diary*.... If I had the novel in shape right now I could knock off a \$1,500 advance tomorrow. But, sadly, it is not good enough to send out."

1965: "I should have quit journalism... and hit the fiction for all I was worth. And if I'm ever to be worth anything, I honestly think it will have to be in the realm of fiction... [which is] the only way I can live with my imagination, point of view, instincts, and all those other intangibles that make people nervous in my journalism."

A case might be made for the previous paragraph's being the turning point in Hunter's awareness, or admission, that what he was vigorously trying to do wasn't journalism. These letters take him only through 1967, and it wasn't until 1970, when he published "The Kentucky Derby Is Decadent and Depraved" in *Scanlan's Monthly* that his Gonzo Journalism came fully into existence. Was it journalism? Well, it had appeared in a journal. But wasn't it really fiction? It